



City of Salisbury

North Carolina

COUNCIL MEETING AGENDA

May 7, 2024
6:00 p.m.

The meeting will be held in a hybrid format and will be streamed live at salisburync.gov/webcast and on the City's Facebook account.

Anyone who wishes to speak via Zoom during public comment must sign-up by 5:00 p.m. on May 7, 2024 by contacting Connie Snyder at csnyd@salisburync.gov. Citizens who wish to speak in person can sign up in Council Chambers.

1. Call to order.
2. Moment of Silence.
3. Pledge of Allegiance.
4. Adoption of Agenda.
5. Council to recognize members of the Salisbury Youth Council for their service project using an \$800 mini grant received from the State Youth Council. (*Presenters - Communication Coordinator Kaisha Brown and Recreation Coordinator Megan Simpson*)
6. Mayor to proclaim the following observances:

PEACE OFFICER'S MEMORIAL DAY	May 15, 2024
DRINKING WATER WEEK	May 5-11, 2024
NATIONAL POLICE WEEK	May 12-18, 2024
NATIONAL PREVENTION WEEK	May 12-18, 2024
NATIONAL SKILLED NURSING CARE WEEK	May 12-18, 2024
NATIONAL PUBLIC WORKS WEEK	May 19-25, 2024
ASIAN PACIFIC AMERICAN HERITAGE MONTH	May 2024
BETTER HEARING AND SPEECH MONTH	May 2024
BIKE MONTH	May 2024
EXERCISE IS MEDICINE MONTH	May 2024
JEWISH HERITAGE MONTH	May 2024
MENTAL HEALTH AWARENESS MONTH	May 2024
MOTORCYCLE SAFETY AND AWARENESS MONTH	May 2024

7. Council to consider the CONSENT AGENDA:
 - (a) Approve Minutes of the special meetings of March 27, 2024 and April 16, 2024 and the regular meetings of April 2, 2024 and April 16, 2024.
 - (b) Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$8,914 to appropriate insurance proceeds for expenses related to a vehicle ramp replacement.

COUNCIL MEETING AGENDA – PAGE 2 – May 7, 2024

- (c) Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$6,249 to appropriate a donation to Parks and Recreation for expenses related to Summer Reels and Riffs Concert Service at Bell Tower Green.
 - (d) Approve a right-of-way encroachment for the installation of underground fiber optic cable by Hotwire Communications within the right-of-way of Prescott Drive and Sycamore Road per Section 11-24(27) of the City Code.
 - (e) Approve a right-of-way encroachment for the installation of underground fiber optic cable by AT&T within the rights-of-way of Peeler Road and Parkway Lane per Section 11-24(27) of the City Code and subject to North Carolina Department of Transportation approval.
 - (f) Authorize the City Manager to execute a Second Amendment to the Installment Financing Contract between the City of Salisbury and First Bank to amend the definition of “interest rate” to match the way interest is calculated in the amortization schedule.
 - (g) Authorize the City Manager to enter into an interlocal agreement with Rowan County for property acquisition services related to Mid-Carolina Regional Airport, as authorized by Article 20 of Chapter 160A of the North Carolina General Statutes.
 - (h) Authorize the City Manager to enter into a Radio Equipment Loan Agreement with Rowan County to provide new public safety portable and mobile radios for the Police and Fire Departments.
 - (i) Authorize the City Manager to enter into a three-year contract in the amount of \$63,515.15 annually with Tim Johnson Landscaping, Inc. for ground maintenance of the I-85 and East Innes Street interchange.
 - (j) Authorize the City Manager to enter into a three-year contract in the amount of \$38,493.78 annually with Tim Johnson Landscaping, Inc. for ground maintenance of Bell Tower Green Park.
 - (k) Receive a request for the voluntary annexation of 23.78 acres located at 570 Earnhardt Road, Tax Map 065 Parcel 008, Tax Map 067 Parcel 189 and a portion of Tax Map 058 Parcel 088, and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.
 - (l) Authorize the City Manager to execute a Supplemental Agreement with the North Carolina Department of Transportation for additional Congestion Mitigation Air Quality funds in the amount of \$1,277,268 that will require a 20% local match of \$319,317.
8. Council to receive public comment. ***Speakers who wish to speak via Zoom must sign-up before 5:00 p.m. by contacting Connie Snyder at csnyd@salisburync.gov.*** Citizens who wish to speak in person can sign-up in Council Chambers. Citizens who are unable to speak during the meeting may submit written comments to the email above and they will be shared with Council.
9. Council to receive an update on the Byrne Criminal Justice Initiative for the West End Community. (*Presenter – Police Chief Patrick Smith*)

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10. Council to consider authorizing the City Manager to renew a one-year lease agreement with New Sarum Brewing Company to allow New Sarum to use a portion of the parking lot adjacent to their property from Friday evening through Sunday. (*Presenter – Downtown Development Director Sada Troutman*)
11. Council to consider amending the City of Salisbury Investment Grant Program to adjust the incentive percentage for qualifying projects. (*Presenters – Downtown Development Director Sada Troutman, Planning, Neighborhoods Director Hannah Jacobson, and Administrative Services Director Kelly Baker*)
12. Council to consider adopting an Ordinance to demolish a structure located at 230 West Henderson Street and a structure located at 2010 South Jake Alexander Boulevard per City Code, Chapter 10 of the Minimum Housing Ordinance. (*Presenter – Code Services Manager Michael Cotilla*)
13. Council to consider adopting a Resolution authorizing staff to request the Cabarrus-Rowan Metropolitan Planning Organization reallocate the Congestion Mitigation Air Quality funding from Project BL-0034, Jake Alexander Boulevard Sidewalk, to Project C-5603H, sidewalk on Brenner Avenue from Statesville Boulevard to Horah Street and intersection improvements at Brenner and Link Avenues. (*Presenter – Transportation Director Wendy Brindle*)
14. Council to consider adopting a Resolution of Support to petition the North Carolina Department of Transportation to add Airport Loop Road, within the City of Salisbury's corporate limits, to the Division of Highway's Secondary Road System for maintenance. (*Presenter – Transportation Director Wendy Brindle*)
15. Council to consider appointments to various boards and commissions.
16. City Attorney's Report.
17. City Manager's Report.
18. Council's Comments.
19. Mayor Pro Tem's Comments.
20. Mayor's Announcements and Comments.
 - (a) The Cheerwine Festival will take place Saturday, May 18th from noon until 10:00 pm in downtown Salisbury. This family-friendly festival will feature live entertainment, Cheerwine-inspired food and drinks, arts and crafts, kids activities and all the Cheerwine you can drink! The Cheerwine History display will take place at the Rowan Museum from noon until 5:00 pm. Historic Salisbury Trolley Tours will be available from noon until 6:00 pm at the Rowan County Visitors Center. Live music will be provided from 2:00 pm until 10:00 pm. Free shuttle parking will be provided from Rowan Cabarrus Community College, Catawba College and the Livingstone College School of Hospitality Management and Culinary Arts from 11:40 am-11:00 pm. For additional details, maps and more, visit www.cheerwinefest.com.
21. Adjourn.



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Council to recognize members of the Salisbury Youth Council for their service project using an \$800 mini grant received from the State Youth Council .

Requested Council Meeting Date: Tuesday, May 7

Name and Title of Presenter(s): Salisbury Youth Council Advisors - Communications Coordinator Kaisha Brown, and Recreation Program Supervisor Megan Simpson

Main Point of Contact Email: kaisha.brown@salisburync.gov

Phone: 336-298-8166

Consent Agenda
(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda
(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

No specific strategy.

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

The Salisbury Youth Council received an \$800 mini-grant through the State Youth Council. Salisbury Youth Council members voted to utilize the grant in a project aimed at addressing a critical community need of providing essential feminine hygiene products to girls and women in Salisbury. The Council packed and prepared 100 bags containing feminine hygiene products alongside an informative pamphlet. The information pamphlets design and content were created by Salisbury Youth Council members. Salisbury Youth Council Advisors delivered the prepared bags to Rowan Helping Ministries.

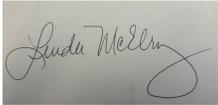


Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

N/A

Department Head Signature (Required)





City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the law enforcement agency of Salisbury play an essential role in safeguarding the rights and freedoms of Salisbury; and

WHEREAS, it is important that all residents know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Salisbury Police Department unceasingly provide a vital public service.

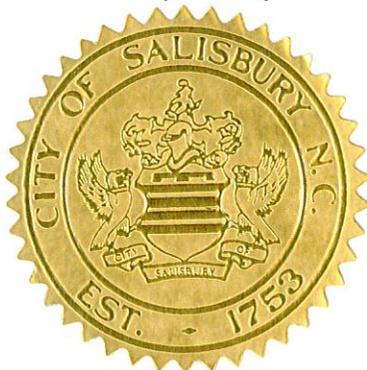
NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of the Salisbury City Council, DO HEREBY PROCLAIM the week of May 12-18, 2024 as

NATIONAL POLICE WEEK

in Salisbury, and call upon our residents and our patriotic, civic and educational organizations to observe the week with appropriate ceremonies and observances in which all people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all residents of Salisbury to observe May 15, 2024 as **Peace Officers' Memorial Day** in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, water is our most valuable natural resource; and

WHEREAS, drinking water serves as a vital role in daily life serving an essential purpose to the health, hydration and hygiene needs for the quality of life our citizens enjoy; and

WHEREAS, tap water delivers public health protection, fire protection, support for our economy and the quality of life; and

WHEREAS, the coronavirus pandemic has shone a light on the importance of drinking water for health, hydration and hygiene needs; and

WHEREAS, the hard work performed by the entire water sector, designing capital projects, operators ensuring the safety and quality of drinking water or a member of a pipe crew maintaining the infrastructure communities rely on to transport high quality drinking water from its source to consumers' taps; and

WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

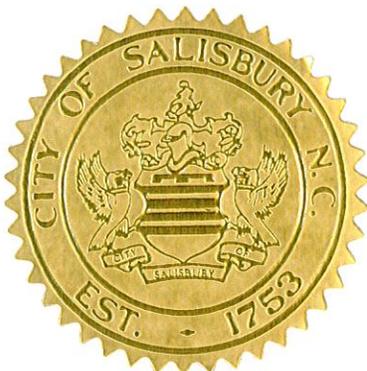
WHEREAS, each citizen of our City is called upon to help protect our source waters from pollution, get involved in learning about the local water issues and becoming familiar and practicing water conservation.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of the Salisbury City Council, DO HEREBY PROCLAIM the week of May 5-11, 2024 as

DRINKING WATER WEEK

in Salisbury, and encourage all citizens to celebrate water professionals and the communities in which they serve.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury
North Carolina

PROCLAMATION

WHEREAS, National Prevention Week is an annual health observance that takes place each May dedicated to increasing public awareness and action around mental health and substance use disorders; and

WHEREAS, the purpose of National Prevention Week includes community involvement, partner engagement, and resource sharing; and

WHEREAS, National Prevention Week is a way for communities to raise awareness and implement prevention strategies and programs; and

WHEREAS, partnerships and collaborations with federal agencies and national organizations are dedicated to improving public health; and

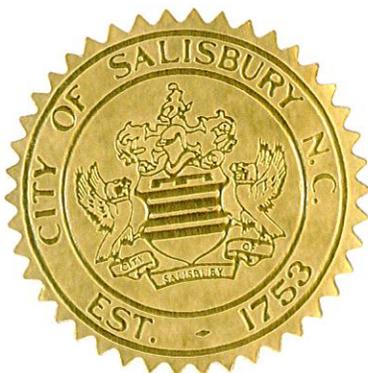
WHEREAS, National Prevention Week is observed each May as a timely opportunity for schools and organizations to host prevention-themed activities before the school year ends and to create an opportunity to develop and strengthen the community, schools, and family bonds.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of Salisbury City Council, DO HEREBY PROCLAIM May 12-18, 2024 as

NATIONAL PREVENTION WEEK

in Salisbury, and encourage citizens to seek and support prevention, education, and advocacy efforts to improve public health.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury
North Carolina

PROCLAMATION

WHEREAS, we honor and respect our elders and citizens of any age with physical or intellectual disabilities who reside in skilled nursing care centers nationwide; and

WHEREAS, skilled nursing care centers throughout our area will celebrate National Skilled Nursing Care Week May 12th through 18th with this year's theme of "Radiant Memories - A Tribute to the Golden Age of Radio" which embraces a time when the airwaves resonated with captivating stores and melodies; and

WHEREAS, I encourage all citizens to visit a loved one, family member, or a friend residing in a skilled nursing care center and spend time participating in various activities to celebrate this week; and

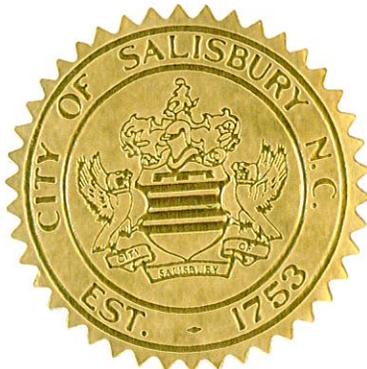
WHEREAS, the City of Salisbury is committed to the quality of health, and take this moment to also honor and recognize the role of skilled nursing care centers in caring for seniors and those with disabilities.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the week of May 12-18, 2024, as

NATIONAL SKILLED NURSING CARE WEEK

in Salisbury, and urge all citizens to help celebrate residents, patients, caregivers, nurses, and health care staff during this very special week.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and the public health, high quality of life, and well-being of the people of Salisbury; and

WHEREAS, these infrastructures, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Salisbury to gain knowledge and maintain ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

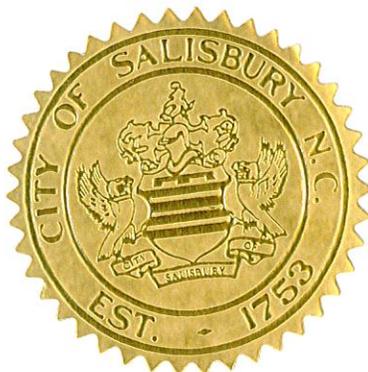
WHEREAS, this year's theme, "Advancing Quality of Life For All" marks the 64th annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of the Salisbury City Council, DO HEREBY PROCLAIM the week of May 19 through 25, 2024 as

NATIONAL PUBLIC WORKS WEEK

in Salisbury, and encourage all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, Asian Americans and Pacific Islanders have a rich heritage that dates back thousands of years and is celebrated during a month-long observance each May; and

WHEREAS, the month of May was chosen to commemorate the immigration of the first Japanese to the United States in May 1843, and to mark the anniversary of the completion of the transcontinental railroad on May 10, 1869 by a majority of Chinese immigrant workers who laid the tracks; and

WHEREAS, Asian Americans and Pacific Islanders are an increasingly vital part of our history, culture, and economy; and

WHEREAS, Asian Americans and Pacific Islanders bring diversity that represents one of our greatest strengths, and by recognizing their contributions and accomplishments, we celebrate the importance of inclusion to building a brighter future for all of our citizens; and

WHEREAS, Asian Americans and Pacific Islanders have enriched our social, intellectual, and artistic life in the United States of America and have made valuable contributions to all areas of life.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the month of May 2024 as

ASIAN PACIFIC AMERICAN HERITAGE MONTH

in Salisbury, and call upon citizens to learn more about those of Asian American and Pacific Islander heritage and to celebrate this month with them.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury
North Carolina

PROCLAMATION

WHEREAS, hearing loss is one of the nation's leading handicapping disabilities, affecting an estimated 48.9 million Americans; and

WHEREAS, hearing impairments can adversely affect an individual's ability to function effectively on the job, in school, and in social situations; and

WHEREAS, hearing impairments strike persons of all ages and all economic situations; and

WHEREAS, many hearing impairments could be avoided by following simple hearing conservation measures; and

WHEREAS, following such hearing conservation measures is in the best interest of the health, safety, and welfare of the general public; and

WHEREAS, speech impairments affect more than four million Americans.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of the Salisbury City Council, DO HEREBY PROCLAIM the month of May 2024 as

BETTER HEARING AND SPEECH MONTH

in Salisbury, and commend its observance to all of our citizens.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, a bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of the City's scenic beauty; and

WHEREAS, throughout the month of May, residents and visitors will experience the joys of bicycling through educational programs, races, commuting events, charity events, or just going for a ride; and

WHEREAS, road and trail systems attract bicyclists each year, providing economic health, transportation, tourism, and scenic benefits; and

WHEREAS, creating a bicycle-friendly community has been shown to improve citizens' health, well-being, and quality of life, growing the economy, attracting tourism, improving traffic safety, and reducing pollution, congestion, and wear on our streets and roads; and

WHEREAS, bicycle tourism is a way to attract visitors year-round to enjoy local restaurants, hotels, retail establishments, and cultural and scenic attractions; and

WHEREAS, National Bike Month helps to promote better awareness of bicycle operation and safety education in an effort to reduce collisions, injuries, and fatalities, and improve health and safety for everyone on the road.

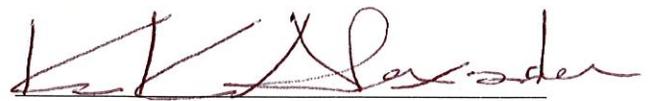
NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the month of May 2024 as

BIKE MONTH

in Salisbury, and encourages all the citizens to join in this special observance.

This the 7th day of May 2024.




Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, May 2023 is Exercise is Medicine Month; and

WHEREAS, all citizens are encouraged to speak with their physicians about how physical activity and exercise may help treat or prevent numerous chronic conditions, such as hypertension, cardiac disease and diabetes; and

WHEREAS, all health care providers are encouraged to talk to their patients about the health benefits of exercise and to strongly recommend that their patients engage in appropriate exercise; and

WHEREAS, regular, moderate-intensity exercise has curative and protective health benefits; and

WHEREAS, the health benefits of physical activity and exercise can do so much to improve the quality of life for everyone; and

WHEREAS, a healthier populace means cost savings, greater participation in the workforce and other benefits to society at large; and

WHEREAS, regular physical activity and exercise is indeed a powerful prescription, with great potential to improve the health of all Americans; and

WHEREAS, the American College of Sports Medicine calls on health care organizations, physicians and other professionals, regardless of specialty, to assess, to advocate for and to review every patient's physical activity program during every comprehensive visit.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the month of May 2024 as

EXERCISE IS MEDICINE MONTH

in Salisbury, and encourages all citizens to participate in activities and observances relating to Exercise is Medicine Month in the interests of better health and quality of life for all.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury
North Carolina

PROCLAMATION

WHEREAS, Jewish Heritage Month is a time to acknowledge and celebrate the valued social, economic, political and cultural contributions of our Jewish community; and

WHEREAS, it is an opportunity to acknowledge and reflect on the rich history, culture and heritage of the Jewish community; and

WHEREAS, it is also an opportunity for everyone to learn more about our Jewish community while helping to preserve it for future generations; and

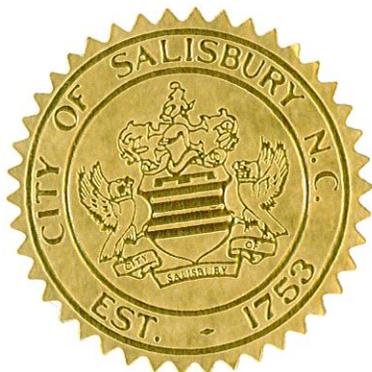
WHEREAS, the City of Salisbury acknowledges the valued contributions that the diverse Jewish communities have made to strengthen our society and contribute to our City.

NOW THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, on behalf of the Salisbury City Council, DO HEREBY PROCLAIM May 2024 as

JEWISH HERITAGE MONTH

in Salisbury, and encourage all citizens to learn more about the heritage and contributions of Jewish Americans.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



Office of the
Mayor

City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, mental health is an essential factor to the overall health and well-being of our bodies; and

WHEREAS, a majority of Americans have been touched by a mental health illness at some point in their lives, and approximately one in five Americans will experience mental illness either directly or through someone they care about; and

WHEREAS, 1 in 20 adults live with a mental illness, and it is estimated that one-half of chronic mental illness transpires by the age of 14 and three-quarters by age 24 regardless of geography, politics, or economics; and

WHEREAS, it is important to maintain our mental wellness and identify key symptoms in order to successfully manage and treat mental illness; and

WHEREAS, investments made in the prevention, early identification, and recovery can provide substantial positive social outcomes that affect every aspect of our communities; and

WHEREAS, public education and civic activities can encourage mental well-being and help improve the lives of individuals and families affected by mental illness.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of Salisbury City Council, DO HEREBY PROCLAIM May 2024 as

MENTAL HEALTH AWARENESS MONTH

in Salisbury, and to increase public understanding of the importance of mental health and fight stigma, provide support and be advocates for equal care and opportunities.

This the 7th day of May 2024.



Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, motorcycle riding is a popular form of recreation and transportation for thousands of citizens across Salisbury, Rowan County and North Carolina; and

WHEREAS, North Carolina has over 193,000 registered motorcycles and over 400,000 licensed riders per the North Carolina Division of Motor Vehicles who have either a motorcycle endorsement or a motorcycle learner's permit; and

WHEREAS, it is important that the citizens of North Carolina be aware of motorcycles on our roadways and recognize the importance of motorcycle safety and of sharing the roadways and promoted by Concerned Bikers Association offering motorcycle awareness programs in driver's education classes in area high schools; and

WHEREAS, Motorcycle Safety and Awareness Month is designed to increase public awareness about motorcycles and to encourage their safe and proper use among motorcycle riders and to encourage other motor vehicle operators to be cautious and observe motorcycles, especially during their seasonal return to our streets and highways; and

WHEREAS, the safe operation of a motorcycle is enhanced through a combination of rider training and experience, good judgment, and motorist awareness of motorcycles sharing the roads of Rowan County and North Carolina, the Charlotte Concerned Bikers Association, Rowan-Cabarrus Concerned Bikers Association, and the Concerned Bikers Association of North Carolina urge motorists in the City of Salisbury and the County of Rowan to "Look Twice and Save a Life."

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of the Salisbury City Council, DO HEREBY PROCLAIM the month of May 2024 as

MOTORCYCLE SAFETY AND AWARENESS MONTH

in Salisbury, and call this observance to the attention of all our citizens.

This the 7th day of May 2024.

Karen K. Alexander, Mayor

Salisbury, North Carolina
March 27, 2024

SPECIAL MEETING

PRESENT: Mayor Karen Alexander, Mayor Pro Tem Tamara Sheffield and Council Member Harry McLaughlin and City Manager Jim Greene.

ABSENT: Council Members David Post and Anthony Smith, City Clerk Connie Snyder and City Attorney Graham Corriher.

Mayor Karen Alexander and members of City Council attended the Salisbury Tree Board and Community Appearance Commission 2024 Awards Program. The event was held in Council Chambers and began at 6:00 p.m. No action was taken by Council.

Mayor Pro Tem Sheffield gave the invocation. Mayor Alexander presented the Mayor's Award to Mr. Jason Walser.

The event ended at 7:30 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

SPECIAL MEETING

PRESENT: Mayor Karen Alexander, Mayor Pro Tem Tamara Sheffield and Council Members Harry McLaughlin, David Post and Anthony Smith. City Manager Jim Greene, Jr., City Attorney J. Graham Corriher and City Clerk Connie B. Snyder

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 5:00 p.m.

ADOPTION OF THE AGENDA

Thereupon, Councilmember Smith made a **motion** to adopt the Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

CLOSED SESSION

Thereupon, Mayor Pro Tem Sheffield made a **motion** to go into Closed Session concerning an economic development matter as allowed by NCGS 143-318.11(a)(4). Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

RETURN TO OPEN SESSION

Council returned to open session. Mayor Alexander noted no action was taken in closed session.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Smith. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 6:11 p.m.

Karen K. Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury, North Carolina
April 2, 2024

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 6:00 p.m. A moment of silence was taken.

PLEDGE OF ALLEGIANCE

Mayor Alexander led participants in the Pledge of Allegiance to the United States flag.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt the Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

RECOGNITION – NORTH CAROLINA MAIN STREET AWARD WINNERS

Downtown Development Director Sada Troutman stated at the 2024 North Carolina Main Street Conference, Downtown Salisbury stakeholders were recognized by the North Carolina Department of Commerce. She added the Salisbury Building won the 2023 Award of Merit for Best Adaptive Reuse Project, led by Josh Barnhardt, along with Bogle Firm Architecture and Vertex Construction. She noted Tonyan Schoefield, owner of House of T Grace Studio Wellness Boutique and Fit for a Queen, was one of 40 people named a North Carolina Main Street Champion.

Council congratulated Ms. Schoefield and thanked her for all she does for the City.

PROCLAMATIONS

Mayor to proclaim the following observances:

AUTISM ACCEPTANCE MONTH	April 2024
CHILD ABUSE AWARENESS MONTH	April 2024
CIVITAN AWARENESS MONTH	April 2024
FAIR HOUSING MONTH	April 2024
SAFE DIGGING MONTH	April 2024
SEXUAL ASSAULT AWARENESS MONTH	April 2024
WEEK OF THE YOUNG CHILD	April 6-12, 2024

CONSENT AGENDA

(a) Minutes

Approve Minutes of the special meetings of March 5, 2024 and March 14, 2024.

(b) Right-of-Way Encroachment – Conterra

Approve a right-of-way encroachment for the installation of underground fiber optic cable by Conterra within the rights-of-way of South Main Street, East Horah Street, South Lee Street and East Bank Street per Section 11-24(27) of the City Code and subject to North Carolina Department of Transportation approval.

(c) Update – Job and Pay Classification System

Approve an update to the job and pay classification system to add the position of Assistant Finance Director at Pay Grade 22.

(d) Public Hearing -Incentive Grant

Set a public hearing for April 16, 2024 to consider an incentive grant for RP Salisbury Partners, LLC.

(e) Ford City Motor Lofts Project

Authorize the City Manager to sign a commitment letter for Community Development Block Grant funding subject to review and approval by the City Attorney, and execute any documents necessary to secure a promissory note and deed of trust in favor of the City for the Ford City Motor Lofts Project.

(f) 75 YD Tarco Leaf Machine

Authorize the City Manager to approve Purchase Order 240931 in the amount of \$138,400 for the purchase of a New 75 YD Tarco leaf machine from Amick Equipment Company, Inc. as approved in the FY2024 budget.

Thereupon, Councilmember Smith made a **motion** to adopt the Consent Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Mr. Clyde expressed concern regarding the proposed stormwater fee increases.

There being no one else to address Council, Mayor Alexander closed the public comment session.

ARCH AT THE PATRIOT'S FLAG CONCOURSE

Landscape Architect Stephen Brown asked Council to consider the installation of an arch at the Patriots Flag Concourse located in City Park in partnership with the Salisbury Rotary Club and to authorize the City Manager to execute an agreement to accept the ownership of the installation for maintenance upon completion of the project.

Mr. Brown noted the Patriots Flag Concourse is located at the corner of North Jackson and West Miller Streets and the proposed arch would be located above the concourse off of West Miller Street. He stated staff recommends relocating the existing walkway closer to the Flag Concourse once the arch is complete. He reviewed the arch design, and he recommended renovating the lighting system as part of the project.

Mr. Brown stated the City's responsibilities include design and project management. He added the City will also provide the property for the arch and will be responsible for its maintenance. He noted the Salisbury Rotary Club will be responsible for raising funds, selecting a contractor, constructing the arch, moving the walkway, and installing the lighting. He commented the Salisbury Rotary Club will pay for the materials and labor required for the installation.

City Manager Jim Greene thanked Mr. Brown for his work on the project and the Salisbury Rotary Club for its partnership.

Thereupon, Councilmember Post made a **motion** to approve the installation of an arch at the Patriot's Flag Concourse at City Park in partnership with the Salisbury Rotary Club and to authorize the City Manager to execute an agreement to accept ownership of the installation for maintenance upon completion of the project. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

HEALTH INSURANCE PREMIUMS

Finance Director Wade Furches provided an update on a proposed 3% increase to health insurance premiums for the fiscal year beginning July 1, 2024 for both employees and the City. He explained the City is self-insured, and he noted Blue Cross Blue Shield manages the City's claims which are paid from the City's Healthcare Fund comprised of premiums paid by employees and the City. He added the City works with Mark III, a health insurance broker that provides benchmark information from municipalities including High Point, Huntersville, Concord, and Kannapolis, and Rowan and Cabarrus Counties. He noted City premiums are competitive overall, but family coverage in the City is more expensive than other benchmark cities.

Mr. Furches reviewed current City wellness programs and mental health programs, including the Employee Assistance Program, which offers 12 free mental health sessions per incident for employees through McLaughlin Young Group.

Mr. Furches referenced the Healthcare Fund which peaked in FY2021 at \$5.464 million. He noted the fund has decreased and is estimated to be at \$4.965 million at the end of the current fiscal year. He noted expenses are projected to be \$5.591 million in FY2025. He explained there has been a 12% reduction in the Healthcare Fund Balance in the last two years to \$4,907,743, or 93.8% of total expenses as of June 30, 2023. He noted the largest premium increase would be the buy-up plan for employee and spouse with an increase of \$183.00 annually.

Thereupon, Councilmember Smith made a **motion** to approve a 3% increase to health insurance premiums for the fiscal year beginning July 1, 2024 for employees and the City. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

PILOT SMALL BUSINESS ASSISTANCE PROGRAM

Planning and Neighborhoods Director Hannah Jacobson and Rowan Chamber of Commerce President Elaine Spalding addressed Council regarding a pilot small business assistance program in partnership with the Chamber. Ms. Jacobson noted small business grants are consistent with the City's Strategic Plan and advance the key focus area of Economic and Workforce Development.

Ms. Jacobson noted Council allocated \$30,000 in the current budget for a pilot small business grant program that would partner with the Chamber to administer and leverage funding with private donations. She reviewed the grant program goals:

- Strengthen and grow established small businesses
- Pursue equity by filling gaps that are left by systemic barriers to resources
- Facilitate the rehabilitation of buildings that are outside of downtown in priority corridors and centers that were identified in the Forward 2040 Comprehensive Plan

Ms. Jacobson then reviewed eligibility of applicants:

- Businesses located in the City with 10 or fewer employees, or full-time equivalents
- Registered businesses with permits to operate
- Funding will not be limited to Chamber of Commerce members

Ms. Jacobson explained businesses would be eligible for grants between \$5,000 and \$10,000. She indicated the Chamber anticipates awarding three to six grants with the allocated \$30,000. She pointed out the grants could be used for permanent improvements to the building such as flooring and lighting and essential pieces of equipment that help the business advance. She indicated operational expenses such as rent, utilities and payroll would not be eligible for the grant.

Ms. Jacobson explained the Chamber would solicit and review the applications through a committee that will include a member of City staff. She stated the applications would be reviewed based on scoring criteria that may include a demonstrated need for assistance, sustainability of the business model, benefits to the broader community, if the business is located within an economically disadvantaged census tract, low-moderate income business owner, and alignment with the Forward 2040 Comprehensive Plan.

Ms. Spalding noted if approved the small business grant pilot program will be announced at the Minority Business Trade Show that will take place on April 25, 2024 at the Livingstone College Hospitality Center.

Councilmember Smith noted this may be the first time small business owners go through the grant process, and he asked if the Chamber will help applicants navigate the process. Ms. Spalding noted Rowan-Cabarrus Community College Small Business Center Director Meg Smidt will serve on the grant review committee and has offered her assistance.

Councilmember McLaughlin stated the program is a great opportunity to support small businesses that are outside of the downtown area. He asked if applicants will be able to apply for the grant at the Minority Business Trade Show. Ms. Spalding agreed.

Mayor Alexander asked if the Chamber will use the program as leverage for funding from the private community. Ms. Spalding agreed. Council thanked everyone who worked on the grant program.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to approve a pilot Small Business Assistance Program in partnership with the Rowan County Chamber of Commerce. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

CONTRACT – CPL ARCHITECTS AND ENGINEERS, P.C.

Public Works Director Chris Tester addressed Council regarding a contract with CPL, Architects and Engineers, PC in the amount of \$197,373 and up to an additional 28,000 if needed for alternates for a Multi-use Center Master Plan for the Civic Center improvement project.

Councilmember Post stated he is a member of the Rufty-Holmes Senior Center and needs to be recused from the discussion. By consensus, Council agreed.

Mr. Tester noted a request for qualifications for a site master plan and feasibility study was sent out and 14 submissions were received. He stated a team of City staff and Rufty-Holmes scored the submissions and interviewed the top candidates. He stated two firms were selected, one to work on the entire project and one to work with senior and multi-generational facilities.

Mr. Tester stated at Council's Retreat staff requested approval to proceed with developing a scope and contracts with CPL and Lifespan. He reviewed the scope of services for the contract, and he pointed out two alternates were included: one to audit the current facilities, and one for 3D visualization and renderings.

Mr. Tester reviewed the proposed schedule, and he pointed out the project will kick off mid-April with final documents being provided December 2024. He noted staff recommends authorizing the City Manager to enter into a contract with CPL Architects and Engineers, PC for multi-use center master planning for a fee of \$197,373 plus up to \$28,500 if needed for alternates and to authorized the City Manager to enter into a Memorandum of Understanding with Rufty-Holmes Senior Center to cover the partnership and reimbursement of 50% of the contract amount.

Councilmember McLaughlin asked if the study will include traffic patterns and consider increased traffic and noise that may occur with the new facility. Mr. Tester noted the proposed plan includes traffic patterns within the facility. Mayor Alexander asked if there is data regarding the traffic generated at the current Civic Center facility. Transportation Director Wendy Brindle noted staff can get usage information from Parks and Recreation to share with the consultants, and she added staff will also look at traffic patterns through the neighborhood. She pointed out once the Master Plan is complete the consultant will have an idea of what the usage would be and staff can use the data to consider traffic control options. Mr. Tester pointed out the facility will be multi-generational and will have use at different timeframes throughout the day which the consultant will take into consideration.

Councilmember Smith noted there are few cultural spaces in the City that bring generations together. He added he is excited about the proposal and he thanked staff for its work on the project. Mayor Alexander stated she is excited about the opportunity for the City to partner with Rufty-Homes Senior Center to leverage resources to provide additional options to the community.

Thereupon, Councilmember McLaughlin made a **motion** to authorize the City Manager to enter into a contract with CPL Architects and Engineers, P.C. in the amount of \$197,373 and up to an additional \$28,000 if needed for alternates, for a Multiuse Center Master Plan for the Civic Center improvement project and to enter into a Memorandum of Understanding with Rufty-Holmes Senior Center regarding the partnership and reimbursement of 50% of the contract amount. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin and Smith voted AYE. (4-0)

Councilmember Post returned to the meeting.

MEDIAN REMOVAL – JARED STEELE LANE

Transportation Director Wendy Brindle addressed Council regarding the removal of the median within the cul-de-sac on Jared Steele Lane. She noted Jared Steele Lane is a small development located off of Morlan Park Road. She explained the Public Works Department initiated the request due to garbage and recycling trucks not being able to maneuver the cul-de-sac because of citizens parking in front of their homes. She stated staff reached out to the property owners about restricting parking in the cul-de-sac and the property owners indicated the restriction would provide undue hardship.

Ms. Brindle noted if the median is removed both sanitation and emergency vehicles would have room to maneuver the cul-de-sac to provide services. She pointed out the current Uniform Construction Standards require the median, but the proposed Uniform Construction Standards, which have not been adopted and are being reviewed by the North Carolina Department of Environmental Quality, do not require the median. She stated staff is requesting Council consider removing the median on Jared Steele Lane which would be completed by Public Works. She commented the property owners are aware of the proposed solution. She indicated staff is not proposing a change to neighboring Mathis Avenue since no one is parking in the roadway at this time.

Thereupon, Councilmember McLaughlin made a **motion** to approve the removal of the median within the cul-de-sac on Jared Steele Lane. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

516 SOUTH CLAY STREET

Code Services Manager Michael Cotilla addressed Council regarding the dilapidated residential structure located at 516 South Clay Street. He stated the property owner was cited for violations of the City's minimum Housing Ordinance on October 27, 2023 and the hearing date was scheduled for December 12, 2023. He noted no one attended the hearing and a compliance deadline was set for March 12, 2024. He indicated the property was inspected on March 13, 2024, and was found to be out of compliance. He commented the property owner was cited for broken window glass, unsecured exterior doors, an abandoned residential structure and overgrown grass and weeds. He noted the enforceable sections of the Minimum Housing Ordinance include

Sections 10-78, 10- 61, 10-53 and 14-8.

Mr. Cotilla displayed photographs of the property, and he asked Council to consider adopting an Ordinance to board up the structure located at 516 South Clay Street per Chapter 10 of the City's Minimum Housing Ordinance. He added the property will be included in the demolition list that will be brought to Council for its consideration once the title search is completed and stakeholders are identified.

Mayor Pro Tem Sheffield asked if the cost incurred by the City will become a lien on the property. Mr. Cotilla agreed, and he explained the board up will cost approximately \$1,200. He added the City has already spent approximately \$300 to remove debris and it will continue to maintain the property.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt an Ordinance to order the boarding-up and securing of a deteriorated, vacant and abandoned dwelling unfit for human habitation located at 516 South Clay Street in the City of Salisbury. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

ORDINANCE TO ORDER THE BOARDING-UP AND SECURING OF A DETERIORATED, VACANT AND ABANDONED DWELLING UNFIT FOR HUMAN HABITATION LOCATED AT 516 SOUTH CLAY STREET IN THE CITY OF SALISBURY.

(The above Ordinance is recorded in full in Ordinance Book No. 32 at Page No. 43-44, and is known as Ordinance 2024-25.)

AGREEMENT – ESP ASSOCIATES, INC.

Assistant Utilities Director Jason Wilson explained Salisbury-Rowan Utilities (SRU) is working in conjunction with the Main Street Project to replace existing water lines in Main Street and some back-alley fire lines. He noted a portion of the \$10 million Public Safety grant the City received from the state, earmarked funds for the Main Street grant, and some of SRU's annual operating budget for waterline improvements and rehabilitation will be used to fund the project.

Mr. Wilson explained the request before Council is for the design and permitting for this project, and he noted construction will be take place in conjunction with the Main Street upgrades. He stated as part of the Main Street project it was determined that a significant amount of disturbance is proposed in Main Street and staff decided to use the disturbance as an opportunity to replace the water lines.

Thereupon, Councilmember Smith made a **motion** to authorize the City Manager to execute an agreement with ESP Associates, Inc. in the amount of \$274,700 for the survey, surface utility engineering, and civil engineering services associated with the Downtown Waterline Improvement Project. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

SALISBURY-ROWAN UTILITIES FY2025 BUDGET PRESENTATION

Salisbury-Rowan Utilities (SRU) Director Jim Behmer and Assistant Utilities Director Jason Wilson presented SRU budget highlights, capital projects and information about the updated rate model. Mr. Behmer pointed out the service area includes approximately 53,000 customers in Rowan County, and he added a current average residential bill is \$63.08 for 4,000 gallons. He mentioned SRU operates under a one rate policy with no outside rates, and he added SRU has invested more than \$139 million in capital projects since FY2008.

Raftelis President and CEO Peiffer Brandt explained Raftelis is a Charlotte-based Water and Wastewater Financial and Rate Consulting Firm that specializes in financial planning and rate models. He added Raftelis has worked for SRU in the 1990s and 2000s.

Mr. Wilson reviewed FY2025 Proposed Capital Improvements Program (CIP) Projects. He explained the budgets are proposed of approximately \$3.5 million in the operating budget, approximately \$6 million of the SRU Fund Balance and \$636,000 from developer funding for improvements. He pointed out projects included in the CIP pertain to raw water, water treatment, water distribution, sanitary sewer collections, sanitary sewer lift stations, wastewater treatment, and miscellaneous maintenance.

Mr. Behmer explained the FY2025 SRU key initiatives include:

- Proceeding with the \$22.5 million grant bidding and construction activities to meet the proposed 2021 Building Resilient Infrastructure and Communities (BRIC) grant project timeline for the River Pump Station Relocation Project with \$9 million local contribution from Cube Yadkin
- Continued investment in infrastructure upgrades to meet future growth demands
- Implement System Development Fees
- Continued master planning for the Wastewater Treatment Master Plan, Collection System Master Plan, and for facilities and staffing
- Continue to implement the CIP
- Evaluate staffing levels to meet the growing service area
- Reclassify vacant positions to address growth and changing needs within the department
- Continued investment in employees including additional training and compensation
- Attract and retain employees to reduce the department's 27% turnover rate and 17% vacancy rate

Mr. Behmer referenced current SRU vacancies, and he noted some positions are being reclassified. Mr. Wilson explained the vacant positions are being reclassified into two Project Coordinators, one Engineering Specialist, one Locator, and one part-time Special Projects Manager. Mayor Alexander asked if there are available funds in the budget for the mentioned positions. Mr. Wilson agreed.

Mr. Brandt pointed out SRU is facing challenges including aging infrastructure, rising cost of chemicals, pending regulatory requirements, declining per capita consumption, and recruiting and retaining talented employees. He explained the original rate model was developed 20 years ago and is used annually as part of the budget process to help determine rate recommendations. He stated the recommendations are to continue efforts to upgrade infrastructure by focusing on capital spending to at least match depreciation, and a recommended 3.5% minimum rate increase.

Mr. Behmer pointed out the Consumer Price Index (CPI) of the South Region has increased 22.4% over the past five years and SRU's rates have only increased 8.03% during the same time period. He noted there is a 3.5% proposed SRU rate increase, and he added there was not a rate increase last year.

Mr. Behmer explained the recommended 3.5% water and sewer rate increase for the FY2025 Budget is built into the rate model for future years to fund capital projects and offset increases in operational costs. He pointed out an average monthly residential water and sewer utility bill for a customer using 4,000 gallons will be approximately \$65.20 with the increase of \$2.12 per month, or \$.07 per day. He stated SRU rates remain competitive when compared to other utilities within our region.

City Manager Jim Greene stated it is important to reinvest in the City's system, and he noted there has been over \$130 million in investments over the past several years. He thanked Council for its support for additional investment in the SRU system to make sure the infrastructure is sound. He commented the rate increase recommendation was based on the updated rate model. Mr. Brandt noted the City is in a good position financially regarding its utilities

UPDATE – PUBLIC WORKS

Public Works Director Chris Tester addressed Council regarding the need for an additional solid waste crew and collection vehicle and a proposed rate increase. He explained the industry standard for single-arm collection is approximately 500 to 600 collection points per 5 hours on a route which equates to 100 to 120 collection points per hour, or approximately 2 collection points per minute. He pointed out the City has 800 collection points per truck per day with three single-arm collection routes operating 8 hour shifts 5 days a week collecting 160 points per hours or 1 point per 20 seconds for five hours.

Mr. Tester pointed out growth in the City brings new demands. He commented there are currently 12,000 collection points a week with 150 collection points added in 2023 and an estimated 870 to be added in 2024. He noted Concord recommends adding one truck and one route for every 1,000 collection points.

Mr. Tester pointed out solid waste service challenges include safety concerns from high volume operation, overtime hours, and stress and impact on employees. He added the single-arm trucks have routes that push them to their limits causing higher failure rates and downtime. He commented there is an additional demand for field staff to answer calls, schedule bulky collection,

and take payments. He stated the Solid Waste Department receives approximately 208.5 calls per week.

Mr. Tester explained Solid Waste operates like an Enterprise Fund where fees are collected to cover operational cost, and he noted the City's fee revenues and operational costs are close to break even. He further explained the operational revenue is \$2.95 million with approximately 1% difference in revenue and cost projections. He pointed out current residential and commercial solid waste and landfill fees include:

Current Residential Rates

Solid Waste: \$9.28
Landfill: \$5.13
Recycling: \$5.80
Total: \$20.21

Current Commercial Rates

Solid Waste: \$11.66
Landfill: \$9.14
Total: \$20.80

Mr. Tester noted the last fee increase took place in FY2021. He stated staff recommends the addition of a solid waste crew and route for the FY2025 budget to include:

- 1 single-arm trash truck
- 1 Senior Solid Waste Construction Maintenance Worker (CDL)
- 1 Fleet Mechanic
- 1 Solid Waste Construction Maintenance Worker
- 1 Solid Waste Customer Service Representative

Mr. Tester explained staff recommends covering the additional costs by increasing the Solid Waste fee by \$2.29 per month and increasing the recycling fee by \$0.48 per month, but not increasing the landfill fee. He pointed out the recommended rates for FY2025 include:

Proposed Residential Rates

Solid Waste: \$11.57
Landfill: \$5.13
Recycling: \$6.28
Total: \$22.98

Proposed Commercial Rates

Solid Waste: \$13.95
Landfill: \$9.14
Total: \$23.09

Councilmember Post pointed out if Council does not consider the request there could be increased safety risks and pick-ups that are not collected. Mr. Tester agreed, and he noted the safety risks are extreme when operating 20 seconds per collection point. Mr. Post noted some of the costs would be recovered due to not paying overtime. Mr. Tester agreed. Mayor Alexander added there is nothing more important than employee safety.

City Manager Jim Greene commented the City of Concord is growing and had to add an additional solid waste crew. He pointed out staff is now having to look at a new crew due to safety concerns and to handle growth in the City. Mayor Alexander stated if there is anticipated growth of 870 collection points, the City needs to plan for it.

Mayor Pro Tem Sheffield asked about a rate increase compared to a tax increase. Mr. Greene explained a rate increase on trash and recycling will be added to those that use that service compared to a tax increase which would be for property owners that may not use the service.

BOARDS AND COMMISSIONS

Historic Preservation Commission:

Upon a motion by Councilmember Smith. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following reappointment was made to the Historic Preservation Commission:

Mr. Marcelo Menza

Term Expires 3/31/2027

Housing Advocacy Commission

Upon a motion by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Housing Advocacy Commission:

Ms. Lisa Kelley

Term Expires 3/31/2027

Planning Board/Board of Adjustment

Upon a motion by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointments were made to the Planning Board/Board of Adjustment:

Mr. Steven Raffa

Term Expires 3/31/2027

Transportation Advisory Board

Upon a motion by Councilmember Smith. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following reappointments were made to the Transportation Advisory Board:

Ms. Hannah Addair

Term Expires 3/31/2027

Dr. Orlando Lewis

Term Expires 3/31/2027

Ms. Donna Tillman

Term Expires 3/31/2027

CITY MANAGER'S COMMENTS

City Manager Jim Greene thanked Council for its support for items on the Agenda. He also thanked the staff for the great work it does for the City.

COUNCIL COMMENTS

Councilmember McLaughlin pointed out applicants who were chosen for the Byrne Criminal Justice Initiative (BCJI) grant have been notified, and Council will receive an update at its next meeting.

Councilmember Post thanked Clyde for speaking during public comment.

MAYOR PRO TEM'S COMMENTS

Mayor Pro Tem Sheffield thanked Salisbury-Rowan Utilities (SRU) and Downtown Salisbury, Inc (DSI) for collaborating on the Main Street Downtown project.

Mayor Pro Tem Sheffield thanked Sanitation Manager Bailey Texeria for bring the new streetsweeper to City Hall. She noted it is a huge investment that will make a difference in the neighborhoods and streets.

Mayor Pro Tem Sheffield commented the Community Appearance Commission (CAC) and Tree Board hosted its awards event last week, and she noted it was great to recognize awardees for the work they do in the community.

Mayor Pro Tem Sheffield pointed out Litter Sweep will take place on April 13, 2024 at 8:30 a.m. near the Walmart parking lot.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

(a) Paint the Pavement Project

Mayor Alexander announced the Public Arts Commission invites artists of all ages and skillsets to submit their designs for the second Paint the Pavement Project. There is no cost to enter and all materials will be supplied. A \$200 stipend will be given to artists upon completion. Entries will be accepted through Wednesday, May 1st. For more information call (704) 638-5235.

(b) 2024 BlockWork

Mayor Alexander applications are being accepted for neighborhood participation in the 2024 BlockWork event scheduled for Saturday, October 26th. The deadline to apply is May 1st. For more information call 704-638-5235.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Smith. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 8:45 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

DRAFT

Salisbury, North Carolina
April 16, 2024

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 6:00 p.m. A moment of silence was taken.

PLEDGE OF ALLEGIANCE

Mayor Alexander led participants in the Pledge of Allegiance to the United States flag.

ADOPTION OF THE AGENDA/CHANGES TO THE AGENDA

Mayor Alexander requested the following change to the Agenda:

Add: statement from Mayor Alexander regarding weekend violence and update from Police Chief Patrick Smith.

Thereupon, Councilmember Post made a **motion** to adopt the Agenda as amended. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

Mayor Alexander read a statement, on behalf of Council, extending its deepest sympathy to the families of the victims of the violence that took place over the weekend. She requested the community continue to support each other during this difficult time.

City Manager Jim Greene extended sympathy on behalf of City employees to the families who lost loved ones over the weekend. He stated public safety is a priority for Council and staff and it will take everyone working together to address the senseless crimes that have taken place. He asked Police Chief Patrick Smith to provide an update to Council.

Chief Smith extend sympathy on behalf of the Police Department, and he stated the investigations team has worked around the clock to process the crime scenes. He indicated a plan was put in place and resources were reallocated to known active focus areas. He stated federal, state and local agencies have aided in the investigation. He noted ways the public can contact the Police Department to leave any information they may have. He added the investigation is ongoing and there are strong leads.

RECOGNITION – UNITED WAY SPIRIT OF NORTH CAROLINA AWARDS

Rowan County United Way Executive Director Jenny Lee recognized Salisbury-Rowan Utilities Director Jim Behmer and Diversity Equity and Inclusion (DEI) Director Anne Little for wining United Way Spirit of North Carolina Awards. She explained the Spirit of North Carolina Award is an opportunity to nominate those who exemplify the spirit of their community.

Ms. Lee stated Mr. Behmer won the United Way Ambassador award and has been an active volunteer with Rowan County United Way for the past 20 years. She noted Ms. Little won Leading through the DEI lens which recognizes an individual who addresses community problems through their core values of diversity and inclusion.

Council thanked Ms. Little and Mr. Behmer for all they do for the community.

INTRODUCTION – DEPTY FIRE CHIEF TERRY SMITH

Fire Chief Bob Parnell introduced Division Chief Terry Smith who was promoted to Deputy Fire Chief, effective April 15, 2024. He noted Chief Smith is a 28-year veteran of the Fire Department, holds numerous specialized fire service certifications and has led the Fire Prevention Division for the past 17 years. He added Deputy Fire Chief Smith will oversee the Fire Department's Administrative, Support Services and Fire Prevention Divisions.

PROCLAMATIONS

Mayor to proclaim the following observances:

LINE WORKER APPRECIATION DAY	April 18, 2024
NATIONAL CRIME VICTIMS' RIGHTS WEEK	April 21-27, 2024
EARTH DAY	April 22, 2024
YOUTH VIOLENCE PREVENTION WEEK	April 22-26, 2024
ARBOR DAY	April 26, 2024

CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of March 19, 2024.

(b) Budget Ordinance Amendment – Hurley Park

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$12,846 to appropriate a donation to Parks and Recreation for expenses related to Hurley Park.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A PARKS AND RECREATION DONATION.

(The above Ordinance is recorded in full in Ordinance Book No. 32 at Page No. 45, and is known as Ordinance 2024-26.)

(c) Budget Ordinance Amendment – Hurley Park

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$800 to appropriate Salisbury Youth Council grant funds.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A PARKS AND RECREATION DONATION.

(The above Ordinance is recorded in full in Ordinance Book No. 32 at Page No. 46, and is known as Ordinance 2024-27.)

(d) Right-of-Way Encroachment – AT&T

Approve a right-of-way encroachment for the installation of underground fiber optic cable by AT&T within the right-of-way of Peeler Road per Section 11-24(27) of the City Code and subject to North Carolina Department of Transportation approval.

(e) Contract – Hanes Construction, Inc.

Authorize the City Manager to execute a contract with Hanes Construction, Inc. in the amount of \$222,631 for the asphalt reconstruction of the 210 West Franklin Street parking lot.

(f) Funding Agreement – Rowan County Chamber of Commerce

Authorize the City Manager to execute a funding agreement with the Rowan Chamber of Commerce in the amount of \$30,000 for allocation of special project funds to be used for a pilot Small Business Assistance Grant Program.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt the Consent Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Mr. Clyde addressed concerns regarding recycling, and he suggested the use of plastic bottles and bags be discontinued in the City.

Ms. Dee Dee Wright addressed Council regarding her support of the Police and Fire Departments.

Ms. Annie Boone-Carroll shared concerns regarding violence that took place in the West End community over the weekend.

Ms. Kaisha Brown referenced the two homicides that took place in the City over the weekend, and she asked Council to consider additional investment in the Police Department and the community partners who support them.

Mr. Kenny Hardin thanked Mayor Alexander, Mayor Pro Tem Sheffield and Councilmember McLaughlin for attending the two-year anniversary of the Veterans Social Center.

Mr. Zack Smith expressed concern regarding the violation he received for parking his RV in his front yard. Mayor Alexander asked City Manager Jim Greene to follow up with Mr. Smith.

Mr. Michael Kirksey expressed his concerns regarding the violence that took place in the City over the weekend.

Mr. Korey Deese stated he is an avid cyclist and the bike lanes on North Main Street are not effective due to debris in the street.

There being no one else to address Council, Mayor Alexander closed the public comment session.

UPDATE – CHEERWINE FESTIVAL

Event Coordinator Vivian Koontz provided an update on the upcoming Cheerwine Festival and measures being taken to enhance the festival's footprint and to increase safety. She stated the festival will extend to West Fisher and West Innes Streets with a cut off at Jackson Street. She added festival attendees will be able to utilize the tables and chairs and the lawn at Bell Tower Green. She stated staff is adding additional amenities, such as porta-potties and shuttles and working with phone companies to enhance Wi-Fi and cellular service.

Mayor Alexander asked how staff is addressing public safety for the festival. Police Chief Patrick Smith noted the Police Department has contacted surrounding jurisdictions for assistance. He added standby security will be available for reinforcement and 30 additional officers and mobile cameras will be deployed. He noted barricades will be placed at each major intersection to secure the festival footprint. Fire Chief Bob Parnell noted the command post will be relocated to better accommodate the larger festival footprint and three ATV medical crews will be onsite.

Councilmember Smith asked how many shuttle locations will be available for the festival. Ms. Koontz noted there will be shuttle locations at Rowan Cabarrus Community College, Catawba College, and an American with Disabilities Act (ADA) offsite shuttle location at Livingstone Culinary School. Chief Smith added security will be provided at each shuttle location.

INCENTIVE GRANT – RP SALISBURY, LLC

Economic Development Council Vice-President Scott Shelton asked Council to consider awarding a Level 3 incentive grant to RP Salisbury Partners, LLC (RP) equal to 85% of real property taxes to be paid to the City, with the estimated value of \$3.14 million to be paid in annual installments for a five-year period.

Mr. Shelton noted RP Salisbury Partners, LLC (RP) recently purchased a 92-acre tract located between Peeler and Webb Roads. He added RP plans to develop a class A industrial park on the property. He stated the property is currently located outside of the City limits and the company intends to request annexation into the City. He displayed a map of the proposed site, and he stated the company is proposing to extend Lane Parkway to Webb Road.

Mr. Shelton stated RP will invest \$120.2 million into the project which will be developed in phases that could include multiple buildings. He added the developers plan to solicit both manufacturing and distribution companies. He commented in order to make the property a viable location for the industrial park, RP must complete public infrastructure improvements, including the extension of Lane Parkway, the installation of new turn lanes on Webb Road, and a one-mile water main extension. He indicated the estimated total cost for these improvements is \$3.4 million.

Mr. Shelton added RP will pay for the improvements, but is requesting Council consider a tax incentive grant to help offset the infrastructure costs. He noted based on the City's current incentive policy, RP's project would be eligible for a Level 3 Grant. He stated the grant is equivalent to 85% of any new real property taxes paid to the City over five years.

Mr. Shelton noted that during the five incentive years the total revenue is estimated to be \$3,702,160. He stated the total value of the incentive grant is estimated to be \$3,146,836, and he pointed out the City would retain approximately \$555,324.

Mr. Shelton explained RP's incentive request would apply only to real property improvements and taxes. He stated once a job-creating tenant occupies the building RP would like the City to offer an incentive grant to the tenant based on its taxable investments in business personal property. Mr. Shelton referenced a draft Incentive agreement and commented in addition to the previously mentioned basic incentive terms, the incentive agreement also states:

- The total grant payment will be no more than \$3.4 million
- The company must submit a petition for annexation into the City within 90 days of receiving a Certificate of Occupancy (CO) for any building on the property
- Water and sewer service to the property can be suspended for failure to comply with the annexation clause

Mr. Shelton mentioned that the project is expected to be completed by the end of 2028, and the first grant year is set for January 1, 2029. He explained if a CO has not been issued by December 31, 2028, but the property has been annexed, the applicable grant will be based on the percentage completed and assessed for that year. He stated that the agreement cannot be transferred without the City's consent.

Councilmember Post inquired about the size of the proposed buildings. Mr. Shelton explained one building would be 900,000 square feet and there is a possibility for another building at 332,000 square feet.

City Manager Jim Greene thanked Mr. Shelton for the EDC's work on the project and RP for its investment which will bring jobs to Rowan County and the City.

Vice President of Rooker Real Estate Cason Bufe thanked Council for its support of the project. He added the project will bring economic development to the City and help attract new companies and industries.

Mr. Chis Kouri, an economic development lawyer with Maynard Nexsen, spoke in support of the project and thanked the City and Council for its support.

Councilmember McLaughlin inquired about potential growth areas following construction of the industrial park. Mr. Bufe suggested extending Webb Road could attract more commercial and retail properties to the area.

Councilmember Smith asked what industries would occupy the space. Mr. Bufe stated that developers are looking to attract light manufacturers or warehousing and distribution operations.

Mayor Pro Tem Sheffield asked if the request is consistent with Council's incentive grant policy. City Manager Jim Greene agreed.

Mayor Alexander convened a public hearing after due notice to receive comments regarding the proposed incentive grant.

There being no one else to address Council, Mayor Alexander closed the public hearing

Thereupon, Councilmember Smith made a **motion** to award a Level 3 incentive grant to RP Salisbury, Partners, LLC equal to 85% of real property taxes paid to the City, with the estimated value of \$3.14 million to be paid in annual installments for a period of five years. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

FIRE DEPARTMENT GRANT APPLICATIONS

Fire Chief Bob Parnell asked Council to consider supporting an application for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant to support six additional fire fighter positions and a Fire Prevention Safety Grant application. He stated the grants would assist with funding tools, equipment, and fire personnel.

Chief Parnell noted the SAFER Grant would support six firefighter positions for three years. He added the total request for six firefighters over three years is \$1.2 million, which covers the cost of salaries, benefits and training. He stated the grant would help the Fire Department meet staffing needs and reduce overtime costs. He explained that after the three-year period, the City would be responsible for the six additional positions.

Chief Parnell stated the Fire Prevention Safety Grant would support the Fire Marshall's efforts in fire prevention. He noted the Fire Department is requesting \$27,320 for tools and equipment, including protective gear for arson investigation and a trailer for transporting fire equipment to investigation scenes. He explained the grant covers 95 % and the City match would be \$1,302.

City Manager Jim Greene thanked Chief Parnell and the Fire Department for pursuing grant opportunities for additional firefighters. He noted staff will continue to work with state representatives and lobbyists to identify grant opportunities.

Councilmember Smith asked if the additional positions would be entry level or vary in experience. Chief Parnell noted the six positions are firefighter level positions.

Thereupon, Councilmember Smith made a **motion** to support grant applications for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant and the Fire Prevention Safety Grant. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

UPDATE BRYNE CRIMINAL JUSTICE INITIATIVE

Police Chief Patrick Smith and Dr. Jessica Herbert proved an update on the Bryne Criminal Justice Initiative (BCJI) for the West End community.

Chief Smith noted environmental surveys were conducted during the first year. He stated IDEA Analytics has served as the research partner since the grant's inception, and he pointed out Rowan County United Way has agreed to distribute the non-profit grant awards. He added the Planning and Neighborhoods Department will be responsible for the next phase when applications open for the planning and the beautification grant awards. He indicated Parks and Recreation staff helped conduct the environmental surveys, and he thanked the Grant Review Committee who reviewed 40 applications and narrowed the pool to 23 awardees.

Chief Smith indicated BCJI has taken three years to progress, and he pointed out there were many questions that were hard to answer. Dr. Herbert explained the United States Department of Justice (DOJ) has four budget categories:

- Personnel and fringe
 - Anyone funded to support the project including the Project Coordinator Position
- Travel
 - Individuals with the Police Department and or community to travel for national meetings and conferences that are required by the grant, peer exchanges and training
- Equipment
 - Purchased equipment that is allowable within the grant guidelines
- Procurement contracts and subawards
 - Funding provided to an entity to carry out part of the award or the purchase/lease of items to support the goals of the award

Dr. Herbert explained procurement contracts and awards also includes consultants, services for different parts of the community, United Way for the distribution of the grant funds, and the contract with IDEA Analytics as required by the DOJ for planning, implementation, and evaluation work for the grant. She reviewed a grant timeline and pointed out the first year consisted of data collection that is required for the grant. She noted \$50,705 was allocated in the first year for:

- \$2,800 for computer and phone for the Project Coordinator
- \$40,455 for procurement contracts IDEA Analytics
- \$6,100 for consultant travel
- \$1,350 for data storage

Dr. Herbert noted Project Coordinator Chanel Nestor was hired during year two, and she began the community outreach aspects of the program and facilitating meetings. She pointed out environmental survey results were presented to Council in May 2023 that identified the desires of the community. She pointed out community input is required by the DOJ to make sure there is a clear idea of what will be done with the funding. She stated the second-year funding increased to \$96,008:

- \$34,168 for personnel and fringe benefits
- \$53,940 for research partners and consulting fees
- \$6,100 for consultant travel
- \$1,800 for data storage

Dr. Herbert indicated 84% of the funding was held for year three to be distributed to community groups. She pointed out the Action Plan has been reviewed by the International Association of Chiefs of Police (IACP) and the next step is the release of funding so the United Way can proceed with implementation. She noted IDEA Analytics has continued to collect data regarding grant activities, crime and the community to support the evaluation that is due in six months. She indicated the community identified six goals during community meetings:

- Youth and family program capacity
- Small business growth and development
- Community beautification project
- Community visioning project
- Community capacity technical assistance and public safety responses
- West End Community Council for sustainability

Dr Herbert noted \$653,287 has been allocated for this third year, and she reviewed the current budget.

Transportation Director Wendy Brindle commented during the community meetings a concern was noted regarding neighborhood lighting. She displayed a map of the area, and she pointed out existing street lights that will be updated to LED. She explained two pilot projects are being implemented in the 1300 and 1400 blocks of West Bank Street where streetlights will be upgraded to a white LED light, and a two-block residential area along Lloyd Street that is being upgraded to a warm LED light. She stated the project should be implemented in the next two weeks and a survey will be conducted to determine the neighborhood preference for street lighting. Mayor Alexander asked about the timeline for converting the street lights to LED. Ms. Brindle stated street lighting was one of the items funded for year three, and the estimated cost is \$10,000. She indicated the City would contract with Duke Energy to change out the lights.

Councilmember Post asked about the proposed security cameras. Dr. Herbert stated without the proper lighting the cameras will not function properly. She added once the street lighting project is complete additional cameras would be installed. There was discussion regarding the placement of the cameras and how many cameras can be purchased with the grant funding. Chief Smith noted the Police Department will work with the community to identify locations for the cameras which will be in addition to existing cameras in the West End.

Chief Smith asked Council to consider authorizing the City Manager to execute a funding agreement with the United Way of Rowan County to administer and manage non-profit grant funds awarded through BCJI.

Councilmember Post requested clarification regarding the \$100,000 allocated to the West End Community Board. Dr. Herbert explained one of the goals is to be able to support a West End Community Board to become a nonprofit that could compete for future grants. Chief Smith explained the \$100,000 is seed money to help build the board. He stated Neighborhoods for Better Neighborhoods has been awarded \$4,000 to work with the community to establish a 501c3 that can apply for grant funding. Councilmember Smith pointed out it is an investment to help maintain the community health of the West End. Chief Smith agreed. BCJI Project Coordinator Chanel Nestor stated the \$100,000 will go towards hiring a coordinator and supporting programs to enhance crime prevention, beautification, and overall community development.

Councilmember McLaughlin thanked everyone who has been apart of the BCJI grant process. Mayor Pro Tem Sheffield added there are a lot of people in the West End who have put their heart and soul into the project. Mayor Alexander thanked everyone who worked on the project and in the community.

Thereupon, Councilmember Post made a **motion** to authorize the City Manager to execute a funding agreement with United Way of Rowan County to administer and manage non-profit grant funds awarded through the Byrne Criminal Justice Initiative in the amount of \$222,200. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

CAPITAL IMPROVEMENT PLAN FY2025-FY2034

Budget Manager Tracey Keyes provided an update on the FY2025-FY2034 proposed General Fund Capital Improvement Plan (CIP), and she indicated first year project costs are incorporated into the annual operating budget. She explained the CIP is a tool to strengthen the link between community infrastructure and the City's financial capacity. She added the CIP also assists with building the Strategic Plan that Council approved in February.

Ms. Keyes stated for FY2025 the General Fund request is \$18,853,238 which does not include Microsoft 365, general operating equipment and turnout gear. She added CIP requests include facility upgrades, equipment, and street and neighborhood improvements. She noted all requests will be tied to Strategic Plan focus areas.

Ms. Keyes reviewed specific CIP requested projects: a fueling site, the Main Street Project, the Depot, and sidewalk projects. She stated the fueling site is part of the Sustainable Infrastructure focus area that will have an estimated \$300,000 in design costs for FY2025 with construction anticipated to begin in FY2026 with an estimated cost of \$1.7 million. She commented the fueling station will be located at 600 North Church Street and will include charging stations for electric vehicles, a wash bay, and serve gasoline, diesel exhaust fluid (DEF), and diesel vehicles to provide a sustainable fuel supply for normal operations and emergencies.

Ms. Keyes referenced the Main Street Project, and she indicated it is included in the Sustainable Infrastructure focus area. She added the project will be multi-year and construction is anticipated to begin after the Cheerwine Festival in May of 2025. She noted the project will be grant funded.

Ms. Keyes then reviewed the Depot Project, and she pointed out the focus area is Economic and Workforce Development. She added the costs will depend on the purchase of the property and when construction will begin. She commented the project is grant funded with \$2.95 million for the purchase and design of the site included in the FY2025 budget.

Ms. Keyes stated Neighborhood Rehabilitation and Revitalization is another project that goes toward Healthy, Safe, and Engaged Neighborhoods and will include blight removal, improve overall living conditions, preserve and retain existing housing stock, and enhanced community appearance. She added \$300,000 is budgeted in FY2025 and funding will continue throughout the proposed CIP with increases each year.

Ms. Keyes reviewed sidewalk projects that align with Sustainable Infrastructure. She explained the projects will add sidewalks to various roadways including Jake Alexander Boulevard, Brenner Avenue and Old Concord Road. She explained the funding will come from Congestion Mitigation and Air Quality (CMAQ) grants which include an 80/20 split for the City. She pointed out the Jake Alexander Boulevard project will require additional costs to complete the project and staff recommends abandoning the project and moving the funds to Brenner Avenue.

Ms. Keyes pointed out additional projects in the CIP include:

- Fire infrastructure and equipment (Public Safety) at \$1.150 million
- City Office parking paving (Sustainable Infrastructure) at \$32,500
- Public Art opportunities (Cultural Amenities) at \$113,500
- Parks and Recreation infrastructure (Sustainable Infrastructure and Cultural Amenities) at \$1.811 million
 - Wells Fargo Events Center
 - Play structures
 - Greenway extensions

Ms. Keyes referenced future projects beyond 2025 which include the Multi-use Community Center and a firing range for the Police Department that will be included in the FY2025 budget.

City Manager Jim Greene stated the proposed CIP is multi-year and ties into the Strategic Plan to better plan for projects, consider funding, make better use of grant opportunities and help to educate the community regarding planned projects. He pointed out it is difficult to predict the future, but the CIP is an important planning tool. He thanked Ms. Keyes for her work on the CIP.

UPDATE – BROADBAND SERVICES FUND

Finance Director Wade Furches addressed Council regarding the Broadband Services Fund projected budget for FY2025. He reviewed the operations income and expenses. He explained the interfund loan consisted of \$7,176,961 that was borrowed from the Water and Sewer Capital Project Fund for the startup of Fibrant. He stated \$2.375 million of the loan has been repaid and the remaining balance is \$4.8 million.

Mr. Furches stated the Broadband budget includes debt on the \$33 million that was borrowed for Fibrant. He noted the total debt and interest payment is approximately \$2.7 million, and he explained \$2.7 million is transferred from the General Fund to cover the debt service payment. He indicated the remaining balance on the loan is \$12.7 million and the loan payment equates to approximately \$.063 on the tax rate. He added the final payment is due March 1, 2029.

Mr. Furches indicated at its Retreat Council discussed the possibility of prepaying the Broadband debt. He explained any prepayment would go to the end of the debt and include a 1% prepayment penalty. He stated if the money remained in the bank the City would make more money from interest earned, and he added at this time prepayment of the loan does not make sense. He stated the City is earning approximately 5% on its money, and he commented interest rates would have to drop substantially before it would make sense to prepay any amount. He added the interest rate on the Fibrant debt is 2.75%. He pointed out staff will review the prepayment option each year.

Council thanked Mr. Furches for his presentation.

BOARDS AND COMMISSIONS

Parks and Recreation Advisory Board

Upon a motion by Councilmember McLaughlin. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Parks and Recreation Advisory Board to fill an unexpired term:

Mr. Kevin Auten

Term Expires 3/31/2026

Tree Board

Upon a motion by Councilmember McLaughlin. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Tree Board to fill an unexpired term:

Dr. Louis Kandl

Term Expires 3/31/2025

CITY MANAGER'S COMMENTS

(a) Update on Traffic Signal Timing.

City Manager Jim Greene asked Transportation Director Wendy Brindle to provide an update on traffic signal timing particularly along East Innes Street. He stated Fire Station 1 is located along East Innes Street which includes preemption devices to allow a quicker response for the Fire Department.

Ms. Brindle stated the City maintains 91 signaled intersections of which 86% are either owned by the North Carolina Department of Transportation (NCDOT) or intersect with the state roadway. She explained the City is responsible for the timing and maintenance of those signals. She added Traffic Engineer Victoria Trexler developed coordination plans for Innes and Main Streets that will be implemented in the coming week.

Ms. Brindle explained once the coordination plans are implemented adjustments will be required. She noted once Main Street is completed the plan for Innes Street will be implemented and then work will begin on Jake Alexander Boulevard. She stated changes have been made to the traffic signals on East Innes Street to include a four-second pedestrian interval at the intersection of Innes and Long Streets to enhance pedestrian safety.

Mayor Alexander thanked Ms. Brindle for her update.

COUNCIL COMMENTS

Councilmember Post stated cities have passed Ordinances that ban the use of plastic bags and the sale of plastic water bottles. He questioned if Council would want to consider banning the use of plastic bags in grocery stores. City Attorney Graham Corriher noted the General Assembly stated municipalities do not have the authority to ban plastic bags and bottles.

Councilmember McLaughlin noted Brighter Beginnings Community Daycare Center will hold a community event on May 4, 2024 at 529 West Innes Street. He stated for more information community members can email brighterbeginningsrowan@gmail.com

Councilmember Smith stated community churches will gather on May 4, 2024 at Bell Tower Green near the intersection of Church and Innes Streets to hold a prayer vigil in response to the recent community violence.

MAYOR PRO TEM'S COMMENTS

Mayor Pro Tem Sheffield noted Litter Sweep took place on Saturday, April 13, 2024 and over 311 pounds of litter was collected by City staff and volunteers. She added Earth Day Jam will take place Saturday, May 20, 2024 from 11:00 a.m. until 10:00 p.m. at Bell Tower Green. She thanked Event Coordinator Vivian Koontz for providing an update on the Cheerwine Festival, and she thanked staff for its work to keep the growing event safe for everyone who attends.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander stated she is participating in the Duke University Fellowship which is made up of elected officials, community members and activist who specialize in community safety. She added communities across North Carolina are facing violence and it is important that we come together to address the situation and engage our youth.

(a) **Cultivating Community Conversations**

Mayor Alexander announced Cultivating Community Conversations will take place Tuesday, April 23rd at 5:30 p.m. at City Park Recreation Center. The Police Department will host the event with an emphasis on members of the Hispanic/Latino community. For more information call (704) 638-5220.

(b) **2024 Salisbury Sculpture Show Meet the Artists**

Mayor Alexander announced the Public Arts Commission invites the public to drop in and meet the artists of the 2024 Salisbury Sculpture Show Thursday, May 2nd from 9:30 a.m. until 11:00 a.m. in Council Chambers. The event is free and open to the public. Coffee, pastries and a group sculpture activity will be provided. For more information call (704) 638-5240.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Smith. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 8:55 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Vehicle Ramp Replacement

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Rodney Harrison, Transit Director

Main Point of Contact Email: rlhar@salisburync.gov

Phone: 704-638-5252

Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Insurance Claim Funds

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

Adopt a Budget ORDINANCE Amendment Appropriating insurance claim proceeds to the FY 2023-2024 budget for \$8,914 to cover expenses for a vehicle ramp replacement.

The City has received \$8,914 of insurance claim proceeds as the result of a vehicle accident. The other party was at fault. NC General Statutes require that the City appropriate these revenues so they can be legally spent.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Adopt a Budget Ordinance amending the FY 2023-2024 Budget in the Transit Fund of \$8,914 for additional revenue.

Department Head Signature (Required)

Rodney Harrison

AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE
OF THE CITY OF SALISBURY, NORTH CAROLINA TO
APPROPRIATE TRANSIT INSURANCE CLAIM PROCEEDS

Be it ordained by the City Council of the City of Salisbury, North Carolina, as follows:

Section 1. The City has received \$8,914 of insurance claim proceeds as the result of a vehicle accident. The other party was at fault. NC General Statues require that the City appropriate these revenues so they can be legally spent.

Section 2. That the 2023-2024 Budget Ordinance of the City of Salisbury, adopted on June 20, 2023 is hereby amended as follows:

(a) That the following Transit Fund line items be amended as follows:

- | | | |
|-----|----------------------------------------------------------------------|----------|
| (1) | Increase line item 035-000-000-4830.00
Insurance Claim Proceeds | \$ 8,914 |
| (2) | Increase line item 035-653-000-5710.00
Capital Outlay - Equipment | \$ 8,914 |

Section 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage.



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Parks and Recreation Sponsorship for Summer Reels and Riffs Concert Services at Bell Tower Green

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Richard White, Deputy City Manager

Main Point of Contact Email: richard.white@salisburync.gov

Phone: 704-216-7533

Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

Strategies: *(Click to view specific Strategic Plan strategies)*
support high-quality parks, open spaces, greenways, and community spaces that provide a wide range of diverse amenities and programs to support healthy lifestyles for all ages - youth to retirees - and celebrate the rich cultural diversity of our community.

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Budget ORDINANCE Amendment to appropriate a donation of \$6249 to FY23-24 Budget

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

Adopt a Budget ORDINANCE Amendment Appropriating a Parks & Recreation sponsorship/donation to the FY2023-2024 budget in the amount of \$6249.00 to help with expenses related to the Summer Reels and Riffs Concert Series at Bell Tower Green.

The City has received a sponsorship/donation in the amount of \$6,249.00 to help with expenses related to the Summer Reels and Riffs Concert Series at Bell Tower Green. NC General Statutes require that the City appropriate these revenues so that they can be legally spent.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Adopt a Budget Ordinance amending the FY2023-2024 Budget in the General Fund of \$6,249.00 for additional revenue.

Department Head Signature (Required)

A handwritten signature in blue ink, appearing to read "A. J. White", is written inside a rectangular box.

AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE
OF THE CITY OF SALISBURY, NORTH CAROLINA TO
APPROPRIATE PARKS AND RECREATION DONATION

Be it ordained by the City Council of the City of Salisbury, North Carolina, as follows:

Section 1. The City has received a sponsorship/donation in the amount of \$6,249.00 for expenses related to the Reels and Riffs Concert Series at Bell Tower Green. NC General Statutes require that the City appropriate this revenue so that it can be legally spent.

Section 2. That the 2023-24 Budget Ordinance of the City of Salisbury, adopted on June 20, 2023 is hereby amended as follows:

(a) That the following General Fund line items be amended as follows:

- | | | |
|-----|---------------------------------------------------------------------|--------------------|
| (1) | Increase line item 010-611-000-5131.05
BTG Recreation Programs | <u>\$ 6,249.00</u> |
| (2) | Increase line item 010-000-000-4515.02
Recreation Special Events | <u>\$ 6,249.00</u> |

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage.



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Request from Hotwire for an Encroachment on Prescott Drive & Sycamore Road

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Wendy Brindle, Transportation Director

Main Point of Contact Email: wbrin@salisburync.gov

Phone: (704)638-5201



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

Hotwire has proposed a duct and vault extension to provide service to 416 and potentially to 420 Prescott Dr. The proposed excavation path would cross two adjacent properties, 420 and 425 Prescott Dr. Hotwire has proposed to place (3) spans of aerial fiber on Duke Energy poles. Install underground conduit via a directional bore including a bore beneath Prescott Dr. Install one 12" x 18" drop vault. From the drop vault, they propose to place a flat drop via direct bury to the premise. Total proposed underground excavation is 190 ft. On Sycamore Road, Hotwire has proposed a duct and vault extension to provide service to 207 and potentially 205 Sycamore Road. The proposal is to install 80' of 1.25" underground conduit via directional bore including a directional bore beneath Sycamore Road, install one 12"x18" drop vault and 140' direct bury to the premise. City Council approval of encroachments is required by Section 11-24 (27) of the City Code.

Staff review included input from Engineering, Public Works and Salisbury-Rowan Utilities. Staff recommends approval subject to the following conditions:

- All improvements and restoration shall be made at no expense to the City.
- A \$5,000 bond will be required prior to construction within the City Limits.
- A pre-construction meeting will be required prior to construction.
- On-site inspection will be required during all critical street crossings, and advanced notification shall be made to SRU prior to any excavation.
- Any markers for underground facilities shall be flush with the ground.
- Lane closures shall be coordinated through Engineering.
- Hotwire shall participate with the State's one-call locating program, and appropriate locator tape shall be installed to facilitate future field location. SRU requires that all new facilities maintain a clear horizontal separation of at least 48" (measured edge to edge) from existing utilities, and a clear vertical separation of at least 24" from existing utilities. All crossings must be identified/potholed prior to excavation.
- Engineering "as-built" plans shall be maintained by Hotwire and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, Hotwire facilities shall be adjusted or relocated at no expense to the City (or State).



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

City Council to consider approval of a right-of-way encroachment of aerial/underground fiber optic cable by Hotwire on Prescott Drive and Sycamore Road per Section 11-24 (27) of the City Code.

Department Head Signature (Required)

Wendy Budd

416 Prescott Dr

Install Date 4 / / AM-PM

Aerial [] UG [] Combo [X] 2nd Fiber [] Go With [] Fiber [1][2][6][12] / UG Locate Clear Date / UG Due Date

Total Drop Length Bore Length Hand Bury Length

LCP 14 NAP 7 Port Fiber Light Level

UG Meets COS Std. Comments

Aerial Meets NESC Std. Comments

Splicing Meets COS Std. Comments

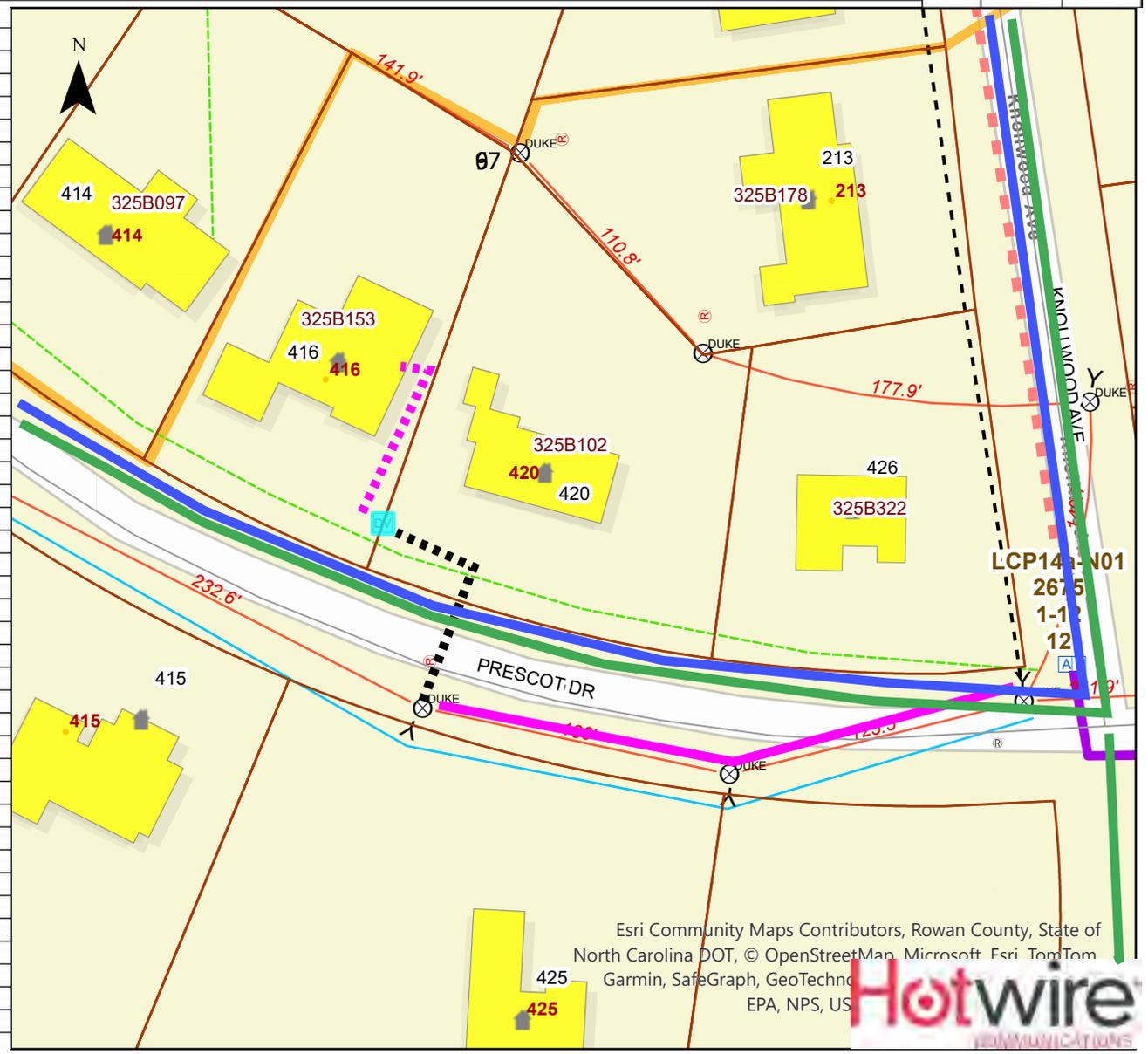
Splitter # Jumper # Jumper Light Level

3 SPANS AERIAL TO 190' OF UNDERGROUND INCLUDING ROAD BORE, CONDUIT AND DV. BURY TO THE SIDE OF THE HOUSE AND MOUNT NEAR CRAWL SPACE DOOR. CANNOT GAIN ACCESS TO HOUSE AT ANY OTHER POINT.

ALL UG NEEDS TO BE NO LESS THAN 48" HORIZONTAL AND 24" VERTICAL SEPARATION FROM EXISTING FACILITIES. MINIMUM OF 12" DEPTH

# Exist Attach	New Duke Attach	New AT&T Attach

- ONT Shell
- 2ct Fiber
- 6ct Fiber
- 12ct Fiber
- J Hook
- P Clamp
- C Span Clamp
- Q Span Clamp
- Rams Head
- 5' 7/8 Uguard
- 7/8 Uguard Straps
- Service Mast Bracket
- E Drop Clamps
- Orange Tag
- Aluminum Tag
- Ground Tag
- Multi Drop Kit
- Gel Strip
- Smoothy
- 2 Meter Jumper
- Crimplock Connector
- 2 Pack Patch
- 4 Pack Patch
- 6 Pack Patch
- Clearfield Enclosure
- Gator
- Ground Wire
- Split Bolt #4
- Split Bolt #6
- Corner Clamp
- Side Clamp
- Ground Strap
- Conduit Clamp
- 1x2 Splitter
- Telco NID
- S Vault
- S Lid
- DV
- DV Lid
- .5" Conduit X FT
- 1" Conduit X FT
- 2" Conduit X FT
- Tracer Wire X FT
- Mule Tape
- Pull string, light
- Pull string, heavy



207 Sycamore Rd

Install Date 4 / 11 AM-PM

Aerial UG Combo 2nd Fiber Go With Fiber 1 2 6 12

UG Locate Clear Date / UG Due Date

Total Drop Length Bore Length Hand Bury Length

LCP 2 NAP 25 Port Fiber Light Level

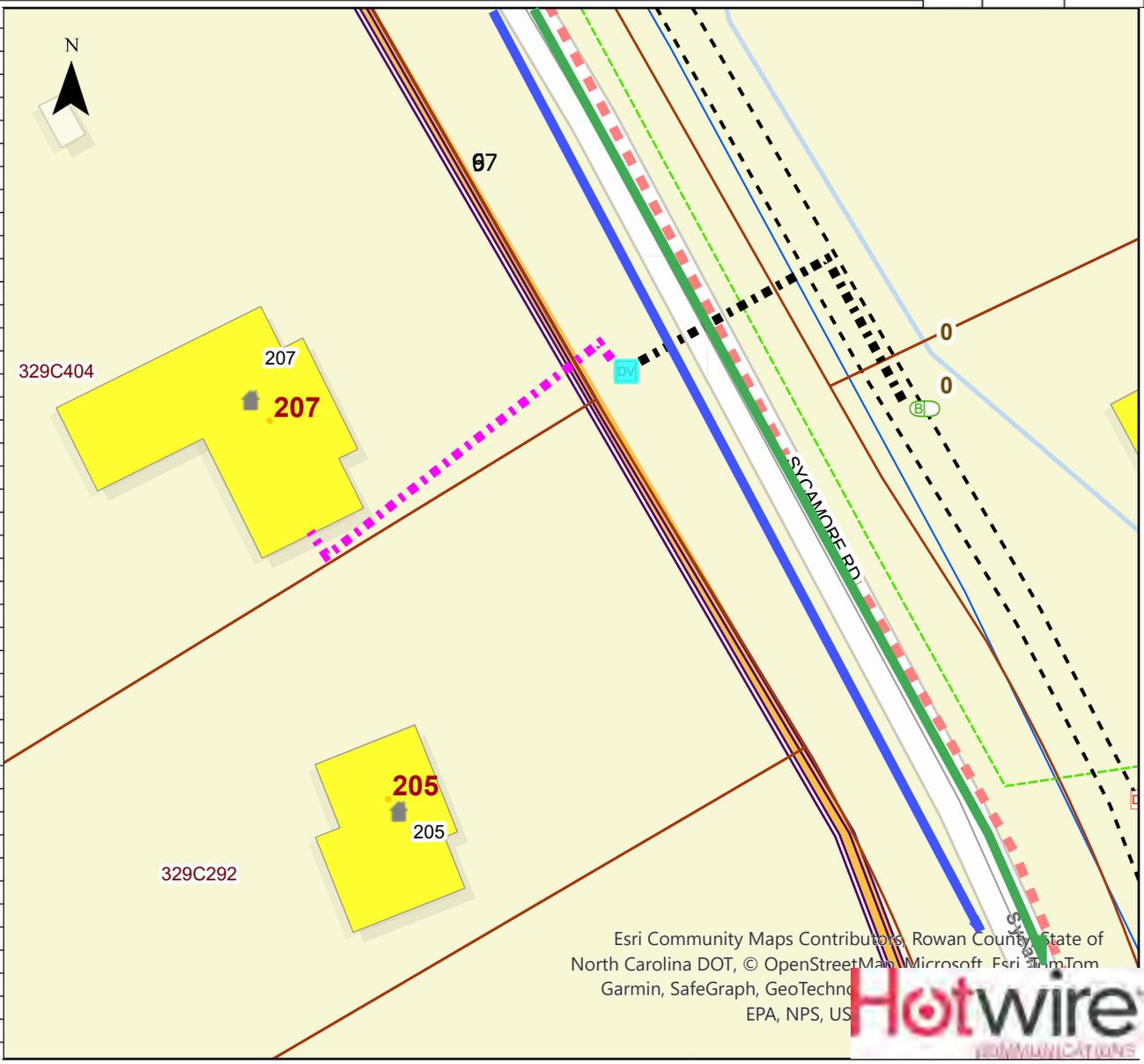
UG Meets COS Std. Comments
Aerial Meets NESC Std. Comments
Splicing Meets COS Std. Comments
Splitter # Jumper # Jumper Light Level

INSTALL 80 FT OF CONDUIT FROM SMALL VAULT(NAP)WITH ROAD BORE TO NEW DROP VAULT. THEN 140 FT OF UG BURY TO RIGHT OF POWER. PATH IS MARKED

ALL UG NEEDS TO BE NO LESS THAN 48" HORIZONTAL AND 24" VERTICAL SEPARATION FROM EXISTING FACILITIES. MINIMUM OF 12" DEPTH

Table with 3 columns: # Exist Attach, New Duke Attach, New AT&T Attach

- ONT Shell
2ct Fiber
6ct Fiber
12ct Fiber
J Hook
P Clamp
C Span Clamp
Q Span Clamp
Rams Head
5' 7/8 Uguard
7/8 Uguard Straps
Service Mast Bracket
E Drop Clamps
Orange Tag
Aluminum Tag
Ground Tag
Multi Drop Kit
Gel Strip
Smoothy
2 Meter Jumper
Crimplack Connector
2 Pack Patch
4 Pack Patch
6 Pack Patch
Clearfield Enclosure
Gator
Ground Wire
Split Bolt #4
Split Bolt #6
Corner Clamp
Side Clamp
Ground Strap
Conduit Clamp
1x2 Splitter
Telco NID
S Vault
S Lid
DV
DV Lid
.5" Conduit X FT
1" Conduit X FT
2" Conduit X FT
Tracer Wire X FT
Mule Tape
Pull string, light
Pull string, heavv





Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Request from AT&T for an Encroachment on Peeler Road

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Wendy Brindle, Transportation Director

Main Point of Contact Email: wbrin@salisburync.gov

Phone: (704)638-5201



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

AT&T requests approval to directional bore 1,759 ft of 2" innerduct at a minimum depth of 180" (15')- to directional bore 483' of fiber optic at a minimum depth of 60" and place three 30"x48" handholes. The proposed excavation is to occur between addresses 975 Peeler Rd. and 1105 Peeler Rd. at the intersection of Interstate 85. as indicated on the attached plan. This encroachment only applies to the area within the city limits. City Council approval of encroachments within the City is required by Section 11-24 (27) of the City Code. Peeler Road and Lane Parkway are both state maintained, so the encroachment also requires approval from NCDOT.

Staff review included input from Transportation, Public Works and Salisbury-Rowan Utilities. Staff recommends approval subject to the following conditions:

- All improvements and restoration shall be made at no expense to the City.
- A \$5,000 bond will be required prior to construction within the City Limits.
- A pre-construction meeting will be required prior to construction.
- On-site inspection will be required during all critical street crossings (SRU must be on-site to observe all excavation near existing utilities).
- Any markers for underground facilities shall be flush with the ground.
- Lane closures shall be coordinated through the Transportation Department.
- AT&T shall participate with the State's one-call locating program, and appropriate locater tape shall be installed to facilitate future field location. SRU requires that all new facilities maintain a clear horizontal separation of at least 48" (measured edge to edge) from existing utilities, and a clear vertical separation of at least 24" from existing utilities. All crossings must be identified/potholed prior to excavation.
- Engineering "as-built" plans shall be maintained by AT&T and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, AT&T facilities shall be adjusted or relocated at no expense to the City (or State).



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

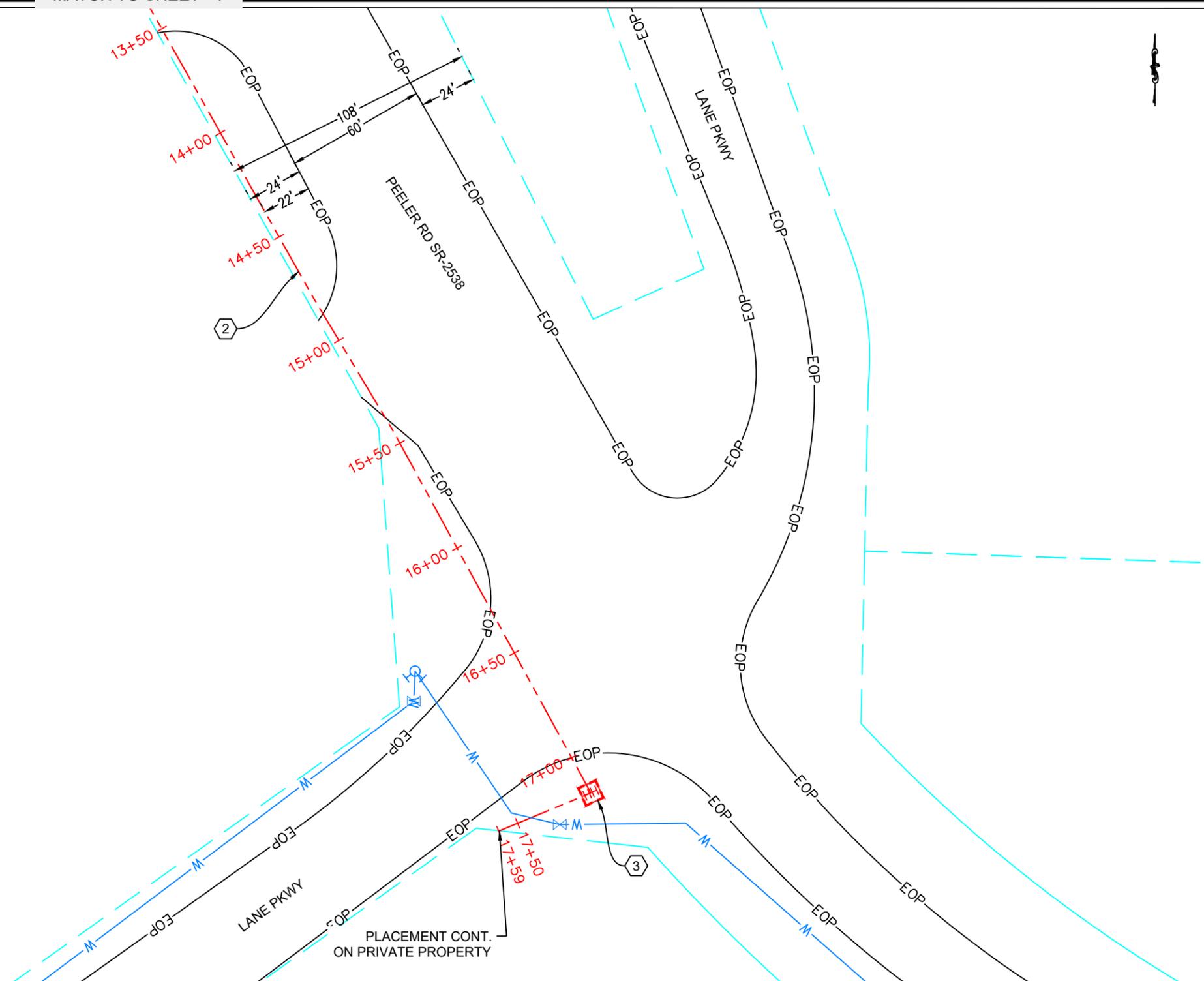
City Council to consider approval of a right-of-way encroachment for installation of underground conduit by AT&T within the rights-of-way of Peeler Road and Lane Parkway per Section 11-24 (27) of the City Code, subject to NCDOT approval.

Department Head Signature (Required)

Wendy Biddle

MATCH TO SHEET 7

1105



MATCH TO SHEET 9

R/W IS DEPICTED FROM COUNTY GIS WEBSITE AND/OR NC ONE MAP, NO FIELD R/W VERIFICATION HAS BEEN COMPLETED. CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE APPROPRIATE PERMITTING AGENCIES PRIOR TO BEGINNING CONSTRUCTION, TO ENSURE CONDUIT PLACEMENT IS WITHIN THEIR R/W.

CONTRACTOR SHALL CALL FOR LOCATES PRIOR TO BEGINNING CONSTRUCTION.

- 2 PROPOSED 2" INNERDUCT, DIRECTIONALLY BORED @180" MIN. DEPTH
- 3 PROPOSED 30X48" HANDHOLE

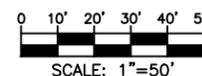
NOTE: ALL UTILITIES SHOWN ARE APPROXIMATE LOCATIONS. UTILITY LOCATES WILL BE PERFORMED IN THE FIELD.

NOTE: Reason for choosing this route is better over all protection of the fiber and numerous safety concerns with replacing DUKE owned poles for needed road clearances. Duke Clearances on the north side of the highway are not high enough to allow for AT&T to place new strand. (no existing strand) These poles are deeply embedded in the side of the ramp build ups. There are severe drop-offs where the replacement poles would need to be set.

3				AS-BUILT
2				REVISION # 1
1	3/28/2024	JW	KP	ORIGINAL
NO.	DATE	ENG DESIGN	DRAFTING	COMMENT



Know what's below. Call before you dig.



SCALE: 1"=50'



SHEET TITLE : OSP PROJECT SHEET

PROJECT MANAGER:

PROJECT ENGINEER: JEFFERY WOOD

PROJECT NUMBER: A02SMNV

DESCRIPTION: PEELER RD

DRAWING NAME: A02SMNV - City.dwg

CONFIDENTIAL/PROPRIETARY

SHEET: 8 OF 10



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Amendment to Installment Financing Contract between the City of Salisbury and First Bank

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Graham Corriher, City Attorney

Main Point of Contact Email: graham.corriher@salisburync.gov

Phone: 704-638-5309



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Continue to invest in our infrastructure to plan for economical and sustainable growth and to properly maintain City assets.

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

In 2018, as part of the City's lease of its broadband utility to Hotwire, the City refinanced the broadband utility debt with First Bank. As part of that refinance, the City and First Bank entered into an Installment Financing Contract (IFC or the "Loan") whereby First Bank loaned the City funds to pay off the former broadband debt in exchange for the City making regular principal and interest payments to First Bank. In 2019, the City and First Bank amended the IFC to lower the interest rate on the Loan. The City has been making regular principal and interest payments and is current on its Loan payments to First Bank.

The City and First Bank recently discovered that the definition of "Interest Rate" in the IFC is different than the way interest is calculated in the IFC's amortization schedule. Specifically, the IFC's definition of "Interest Rate" calculates interest on a 365-day year but the amortization schedule (which is what the City has been charged and has paid), is calculated based on a 360-day year (which means interest is charged based on a 30-day month regardless of the actual number of days in a month). The City has been charged by First Bank and has paid all principal and interest payments in accordance with the IFC's amortization schedule.

The City and First Bank desire to amend the IFC to make the definition of "Interest Rate" in the IFC match up with the way interest is calculated in the amortization schedule. This amendment does not require that the City make any additional payments and does not otherwise affect anything in the IFC.

This amendment is also on the North Carolina Local Government Commission's (LGC) agenda for approval at its on May 7, 2024. Based on conversations with LGC staff, the City anticipates that the LGC will approve this amendment.

Included with this agenda item is a draft amendment for City Council to consider approving.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

City Council to authorize the City Manager to execute a Second Amendment to Installment Financing Contract between the City of Salisbury and First Bank.

Department Head Signature (Required)

SECOND AMENDMENT TO INSTALLMENT FINANCING CONTRACT

BETWEEN

FIRST BANK

AND

CITY OF SALISBURY, NORTH CAROLINA

DATED MAY __, 2024

THIS SECOND AMENDMENT TO INSTALLMENT FINANCING CONTRACT, dated May __, 2024 (this “Amendment”), is between **FIRST BANK** a North Carolina corporation (the “Lender”), and the **CITY OF SALISBURY, NORTH CAROLINA**, a municipal corporation in the State of North Carolina (the “City”).

PREAMBLE

WHEREAS, the City and the Salisbury Public Facilities Corporation (the “Corporation”) entered into an Installment Financing Agreement dated as of November 1, 2008 for the purposes specified therein; and

WHEREAS, the Corporation and First-Citizens Bank & Trust Company (which has been succeeded by U.S. Bank National Association), as trustee, entered into a Trust Agreement dated as of November 1, 2008 (the “2008 Trust Agreement”); and

WHEREAS, pursuant to the terms of the 2008 Trust Agreement, the Corporation executed and delivered its Certificates of Participation, Series 2008A (the “2008A Certificates”) and its Bank Certificates of Participation (the “2008 Bank Certificates” and together with the 2008A Certificates, the “2008 Certificates”), the proceeds of which were used to finance (i) the acquisition, installation and construction of a fiber optic system in the City, including an operations center (the “System”), (ii) the construction of improvements and renovations to various City facilities and (iii) the construction or renovation of three parking lots in the City’s downtown (collectively, the “Project”); and

WHEREAS, the City and the Corporation entered into a First Supplemental Installment Financing Agreement dated as of April 1, 2013 for the purpose of refinancing the 2008 Bank Certificates; and

WHEREAS, the Corporation and U.S. Bank National Association, as trustee, entered into a First Supplemental Trust Agreement dated as of April 1, 2013 (the “First Supplemental Trust Agreement”); and

WHEREAS, pursuant to the terms of the First Supplemental Trust Agreement, the Corporation executed and delivered its Refunding Certificates of Participation, Series 2013 (the “2013 Bank Certificates”), the proceeds of which were used to refund all of the outstanding principal components relating to the 2008 Bank Certificates; and

WHEREAS, the City and STI Institutional and Government, Inc. (the “Prior Bank”) entered into an Installment Financing Contract dated September 14, 2016 (the “Prior Contract”) and used funds advanced thereunder to prepay all of the outstanding principal components relating to the 2013 Bank Certificates and the 2008A Certificates; and

WHEREAS, the City determined to lease the System to Hotwire Communications, LTD (“Hotwire”) pursuant to a Transition Management Agreement and Lease (the “Lease”) dated April 3, 2018 between the City and Hotwire; and

WHEREAS, in connection with the Lease, the City determined to pay and prepay all of the outstanding principal amount advanced under the Prior Contract;

WHEREAS, in order to provide funds for such purpose, the City entered into an Installment Financing Contract dated July 20, 2018 (the “Original Contract,” and as amended by the First Amendment and this Amendment and as may be further amended from time to time, the “Contract”) under which the Lender advanced funds for such purpose and the City covenanted to make Installment Payments and Additional Payments in consideration thereof; and

WHEREAS, in order to secure the obligations of the City under the Contract, the City entered into a Deed of Trust with the deed of trust trustee named therein for the benefit of the Lender creating a lien on all of the right, title and interest of the City in and to the Premises; and

WHEREAS, the City and the Lender entered into a First Amendment to Installment Financing Contract dated November 12, 2019 (the “First Amendment”) pursuant to which the City and the Lender adjusted (i) the Interest Rate payable on the Amount Advanced and (ii) the prepayment price payable in connection with the prepayment of Installment Payments; and

WHEREAS, the City and the Lender have determined to clarify the definition of Interest Rate as set forth herein; and

WHEREAS, the City and the Lender have determined to amend the Original Contract, pursuant to Section 16.6 thereof, to make this clarification; and

WHEREAS, all acts and things necessary to constitute this Amendment a valid agreement according to its terms have been done and performed; and

WHEREAS, capitalized terms used in this Amendment and not defined herein shall have the meanings given such terms in the Original Contract;

NOW, THEREFORE, in consideration of the premises and of the covenants and undertakings herein expressed, the parties hereto agree to amend the Original Contract as follows:

Section 1. The definition of “Interest Rate” in Section 1.1 of the Original Contract is deleted in its entirety and the following is substituted therefor:

“Interest Rate” means 2.75% per annum, calculated on the basis of a 360-day year consisting of twelve 30-day months.

Section 2. Ratification. As amended hereby, the Contract is in all respects ratified and confirmed and the Contract as so amended shall be read, taken and construed as one and the same instrument.

Section 3. Notices. All notices, certificates or other communications hereunder shall be given in accordance with 16.4 of the Contract.

Section 4. Governing Law. This Amendment shall be construed and governed in accordance with the laws of the State.

Section 5. Severability. If any portion of this Amendment is determined to be invalid under any applicable law, such provision shall be deemed void and the remainder of this Amendment shall continue in full force and effect.

Section 6. Execution in Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 7. E-Verify Covenant. The Lender understands that (1) “E-Verify” is a federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law and (2) Article 2 of Chapter 64 of the General Statutes of North Carolina, as amended (the “E-Verify Statute”), requires employers (as defined in the E-Verify Statute) to verify the work authorization of an employee (as defined in the E-Verify Statute) hired to work in the United States through E-Verify. The Lender and the Lender’s subcontractors under this Installment Financing Agreement shall comply with the requirements of the E-Verify Statute.

Section 8. Companies that Boycott Israel Act Certification. The Lender hereby certifies that it is not on any list created and maintained by the North Carolina Department of State Treasurer pursuant to the Divestment from Companies that Boycott Israel Act, Article 6G, as amended, of Chapter 147 of the General Statutes of North Carolina.

[Signatures to follow.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their duly authorized officers as of the day and year first above written.

CITY OF SALISBURY, NORTH CAROLINA

[SEAL]

By: _____
City Manager

ATTEST:

City Clerk

[Signatures Continued on the Following Page]

[Counterpart Signature Page to the Second Amendment to Installment Financing Contract]

FIRST BANK, as Bank

By: _____
Shane English, Senior Vice President

[Signatures Continued on the Following Page]

[Counterpart Signature Page to the Second Amendment to Installment Financing Contract,
dated May __, 2024, between First Bank
and the City of Salisbury, North Carolina]

THIS AMENDMENT HAS BEEN APPROVED UNDER
THE PROVISIONS OF SECTION 159-152 OF THE
GENERAL STATUTES OF NORTH CAROLINA, AS AMENDED

By: _____
Jennifer Wimmer
Deputy Secretary of the Local Government
Commission of North Carolina



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Interlocal Agreement Between Rowan County and the City For Property Acquisition Services

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Jason Wilson

Main Point of Contact Email: jason.wilson@salisburync.gov

Phone: 74-216-7553



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Rowan County

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

Rowan County is developing a public safety hangar at Mid-Carolina Airport. Serving the new hangar with public water and sewer requires an extension of water and sewer mains and other related utility infrastructure along Red Acres Road. The County, as the project developer, is responsible for the costs associated with extending the utility infrastructure, including the costs to acquire any easements necessary for installation. The City, on its own or through contract agents, has experience acquiring easements for utility infrastructure. The County has requested, and the City has agreed, for SRU to assist the County in acquiring easements for the utility infrastructure. The City and County desire to enter into an interlocal agreement to memorialize their understanding. This agreement is authorized by Article 20 of Chapter 160A of the North Carolina General Statutes.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Council to consider authorizing the City Manager to execute an interlocal agreement with Rowan County for property acquisition services related to Mid-Carolina Regional Airport, as authorized by Article 20 of Chapter 160A of the North Carolina General Statutes.

Department Head Signature (Required)

Jan D. Behr

INTERLOCAL AGREEMENT BETWEEN ROWAN COUNTY AND THE CITY OF SALISBURY FOR PROPERTY ACQUISITION SERVICES RELATED TO MID-CAROLINA REGIONAL AIRPORT PROJECT

This Interlocal Agreement (the "Agreement") is entered into as of May ____, 2024, by and between the **City of Salisbury**, a North Carolina municipal corporation (the "**City**"), and the **County of Rowan**, a body politic and corporate (the "**County**") (collectively, the "Parties").

For and in consideration of the mutual promises set forth in this Amendment, the Parties agree as follows:

1. **Purpose.**

- a. The County is developing a Public Safety Hanger at the Mid Carolina Airport (the "Project"). Serving the Project with public water and sewer requires an extension of water and sewer mains and other related utility infrastructure along Red Acres Road, generally as shown in **Exhibit A**, which is attached to this Agreement and incorporated by reference (collectively, the "Utility Infrastructure").
- b. The County, as the Project developer, is responsible for the costs associated with extending the Utility Infrastructure, including the costs to acquire the easements necessary for installation.
- c. The City owns and operates a regional water and wastewater utility, Salisbury-Rowan Utilities ("SRU"). The City, on its own or through contract agents, has experience acquiring easements for utility infrastructure.
- d. The County has requested, and the City has agreed, for SRU to assist the County in acquiring easements for the Utility Infrastructure. The Parties desire to enter into this Interlocal Agreement to memorialize their understanding.
- e. This Agreement is authorized by Article 20 of Chapter 160A of the North Carolina General Statutes.

2. **Purpose.** The purpose of this Agreement is to define the responsibilities of the respective Parties related to acquiring property rights necessary for the Project's utility work.

3. **City Obligations.**

- a. **Services.** SRU, including its contractors, shall perform the following acquisition services for the County related to the Project: review and comment on the sufficiency of surveys, plats, and legal descriptions related to the Project; calculate and recommend reasonable offers for the County to purchase property rights from property owners; contact property owners to provide a written offer to purchase; meet with property owners to explain the project purpose, scope, and timeline; and negotiate with property owners on behalf of the County to acquire property rights necessary for the Project.

- b. **Compliance with law.** To the extent SRU provides the Services through one or more contractors, SRU shall follow all applicable state and local purchasing and bidding requirements and shall issue appropriate requests for qualifications or proposals for selecting any contractor(s).
4. **County Obligations.**
 - a. The County shall directly bear all costs associated with purchasing any property, including preparing surveys and legal descriptions, performing title work, preparing and recording deeds or other documents transferring title, and paying all taxes and fees associated with any property transfer.
 - b. The County shall reimburse SRU for all costs associated with the Services. On a monthly basis, SRU shall submit an itemized invoice to the County. Invoices shall be sent to Craig Powers, County Engineer. Within thirty (30) days of the date the invoice is sent to the County, the County shall reimburse SRU. The County acknowledges that the Services provided by SRU pursuant to this Agreement are provided by a contractor working on SRU's behalf, and that the contractor's current hourly rate is \$95. The rate the City will charge to the County pursuant to this Agreement is the actual costs incurred by SRU pursuant to that contract, which shall include any amendments to the Contract that either increase or decrease contract rate.
5. **Purchase Agreement Between County and Property Owner.** Any offer or other agreement to purchase property rights shall be in writing between the County and the property owner. With the prior written approval of the County, this Agreement authorizes SRU, including its contractors, to communicate or otherwise convey purchase offers on behalf of the County.
6. **City Not Obligated to Purchase or Condemn.** Nothing in this Agreement shall be construed to be an offer from the City to purchase property or otherwise obligate the City to purchase property, or to require that the City exercise its power of eminent domain to acquire easements necessary for the Utility Infrastructure.
7. **Term.** This Agreement shall begin on the date it is executed by the last Party to sign the Agreement and shall remain in effect until the Project is complete, at which point this Agreement shall terminate without further action by either Party.
8. **Termination.** Either Party may terminate this Agreement for breach of its terms by the other Party provided the non-breaching Party has provided notice of such breach and the breach remains uncured for more than ten (10) days or a reasonable longer time consistent with time needed to cure the breach. Notwithstanding the foregoing, all bona fide invoices for Services rendered prior to termination shall be paid by County.
9. **No assignment.** This Agreement is not assignable by either Party.
10. **Amendments in writing.** This Agreement may be amended only in writing and signed by both Parties.
11. **Governing law.** North Carolina law will govern the interpretation and construction of the Agreement.

12. **Entire agreement.** This Agreement, including any other document(s) expressly incorporated by reference as a part of this Contract, constitutes and expresses the entire agreement and understanding between the parties concerning its subject matter. This Agreement supersedes all prior and contemporaneous discussions, promises, representations, agreements and understandings relative to the subject matter of this contract. To the extent there may be any conflict between this Agreement and other documents incorporated by reference herein, the terms of this Agreement will control.
13. **Attached Exhibits.** The following document(s) are attached to this Agreement and incorporated by reference herein:
 - a. **Exhibit A:** Map of Project
14. **Severability.** If any provision of this Agreement shall be declared invalid or unenforceable, the remainder of the Agreement shall continue in full force and effect.
15. **Counterparts and execution.** This Contract may be executed in any number of counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. The Parties agree that computer scanned and/or faxed signatures or copies of this Contract will have the same validity and force as an "original."
16. **Authority to Enter Agreement.** The person(s) executing this Agreement on behalf of each Party have authority to do so as an official, binding act of each respective Party.

IN WITNESS HEREOF, the Parties hereto have caused this Agreement to be duly executed and delivered as of the date first above written.

CITY OF SALISBURY

COUNTY OF ROWAN

By:

Jim Greene, Jr., *City Manager*

Greg Edds, *Chairman of the
Rowan County Board of
Commissioners*

Date

Date

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

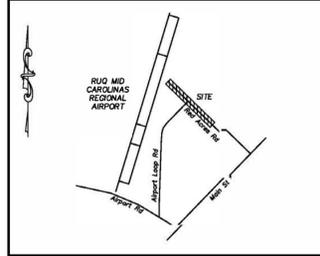


EXHIBIT A

I hereby certify that this is a map for recordation and does not constitute a subdivision of land.

Subdivision Administrator _____ Date _____

I, _____ Review Officer of Rowan County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording

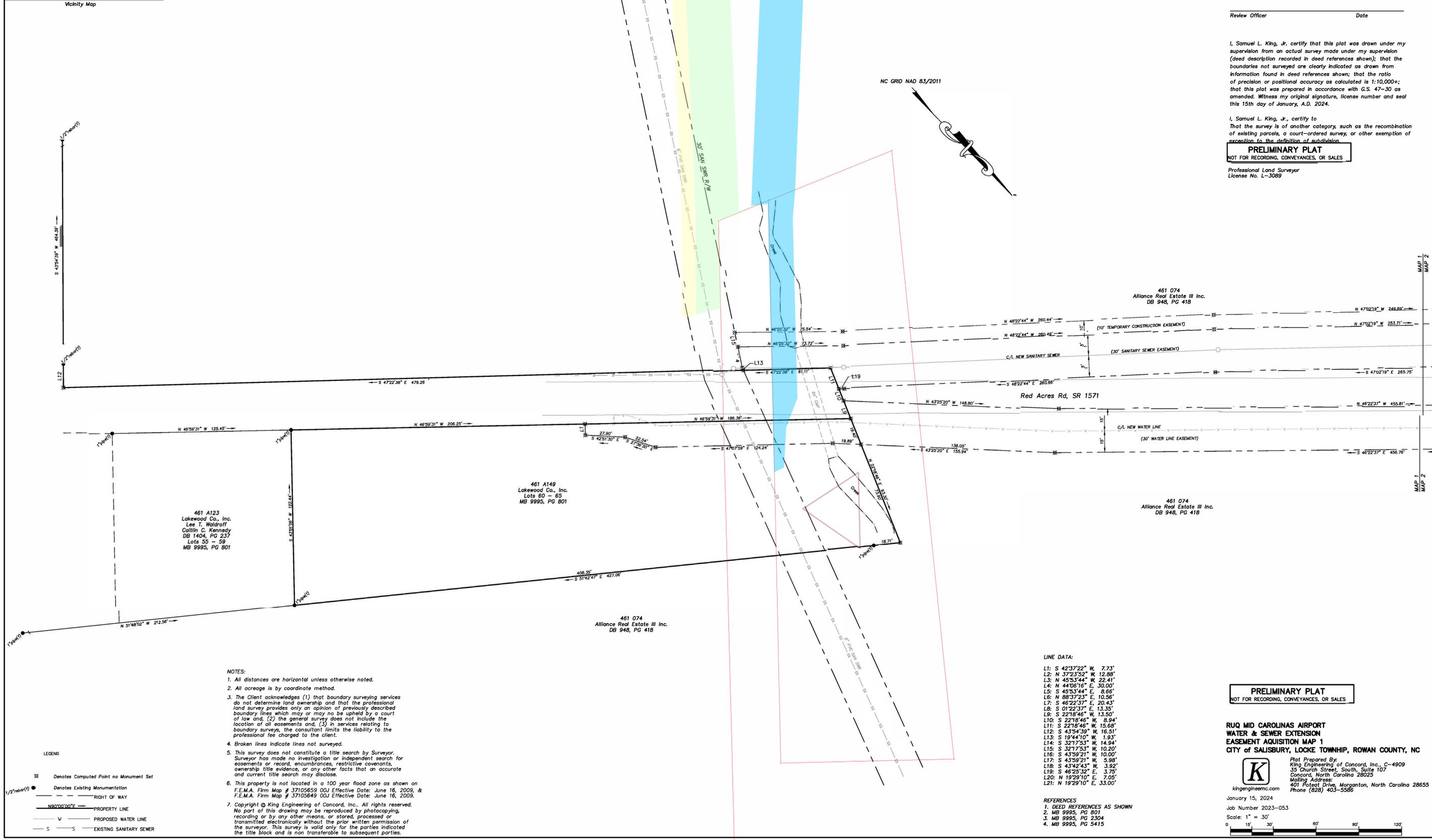
Review Officer _____ Date _____

I, Samuel L. King, Jr. certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in deed references shown); that the boundaries not surveyed are clearly indicated as drawn from information found in deed references shown; that the ratio of precision or positional accuracy as calculated is 1:10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this 15th day of January, A.D. 2024.

I, Samuel L. King, Jr., certify to that the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption of exception to the definition of subdivision.

PRELIMINARY PLAT
NOT FOR RECORDING, CONVEYANCES, OR SALES

Professional Land Surveyor
License No. L-3089



- NOTES:**
- All distances are horizontal unless otherwise noted.
 - All acreage is by coordinate method.
 - The Client acknowledges (1) that boundary surveying services do not determine land ownership and that the professional land survey provides only an opinion of previously described boundary lines which may or may not be upheld by a court of law and, (2) the general survey does not include the location of all easements and, (3) in services relating to boundary surveys, the consultant limits the liability to the professional fee charged to the client.
 - Broken lines indicate lines not surveyed.
 - This survey does not constitute a title search by Surveyor. Surveyor has made no investigation or independent search for easements or record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
 - This property is not located in a 100 year flood zone as shown on F.E.M.A. Firm Map # 37105659 00J Effective Date: June 16, 2009, & F.E.M.A. Firm Map # 37105649 00J Effective Date: June 16, 2009.
 - Copyright © King Engineering of Concord, Inc.. All rights reserved. No part of this drawing may be reproduced by photocopying, recording or by any other means, or stored, processed or transmitted electronically without the prior written permission of the surveyor. This survey is valid only for the parties indicated the title block and is non transferable to subsequent parties.

- LEGEND**
- ⊗ Denotes Computed Point no Monument Set
 - Denotes Existing Monumentation
 - RIGHT OF WAY
 - PROPERTY LINE
 - W PROPOSED WATER LINE
 - S-S EXISTING SANITARY SEWER

- LINE DATA:**
- L1: S 42°37'22" W, 7.73'
 - L2: N 37°23'52" W, 12.88'
 - L3: N 45°53'44" W, 22.41'
 - L4: N 44°06'16" E, 30.00'
 - L5: S 45°53'44" E, 8.66'
 - L6: N 80°33'23" E, 10.56'
 - L7: S 46°22'37" E, 20.43'
 - L8: S 01°22'37" E, 13.35'
 - L9: S 22°18'46" W, 13.50'
 - L10: S 22°18'46" W, 8.94'
 - L11: S 22°18'46" W, 15.68'
 - L12: S 43°54'39" W, 16.51'
 - L13: S 19°44'10" W, 1.93'
 - L14: S 32°17'53" W, 14.94'
 - L15: S 32°17'53" W, 10.20'
 - L16: S 43°59'21" W, 10.00'
 - L17: S 43°59'21" W, 5.98'
 - L18: S 43°42'43" W, 3.92'
 - L19: S 46°25'32" E, 3.75'
 - L20: N 19°29'10" E, 7.05'
 - L21: N 19°29'10" E, 33.00'

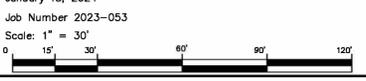
- REFERENCES**
- DEED REFERENCES AS SHOWN
 - MB 9995, PG 801
 - MB 9995, PG 2304
 - MB 9995, PG 5415

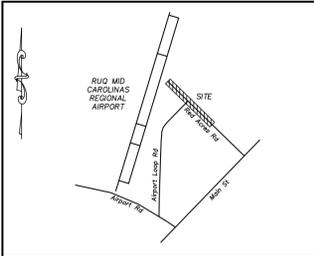
PRELIMINARY PLAT
NOT FOR RECORDING, CONVEYANCES, OR SALES

**RUQ MID CAROLINAS AIRPORT
WATER & SEWER EXTENSION
EASEMENT ACQUISITION MAP 1
CITY OF SALISBURY, LOCKE TOWNSHIP, ROWAN COUNTY, NC**

Plat Prepared By:
King Engineering of Concord, Inc., C-4909
35 Church Street, South, Suite 107
Concord, North Carolina 28025
Mailing Address:
401 Potest Drive, Morganton, North Carolina 28655
Phone (828) 403-5566

kingengineer.com
January 15, 2024
Job Number 2023-053
Scale: 1" = 30'





I hereby certify that this is a map for recordation and does not constitute a subdivision of land.

Subdivision Administrator _____ Date _____

I, _____ Review Officer of Rowan County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording

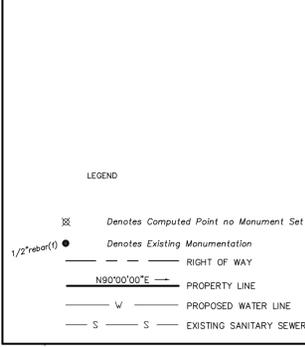
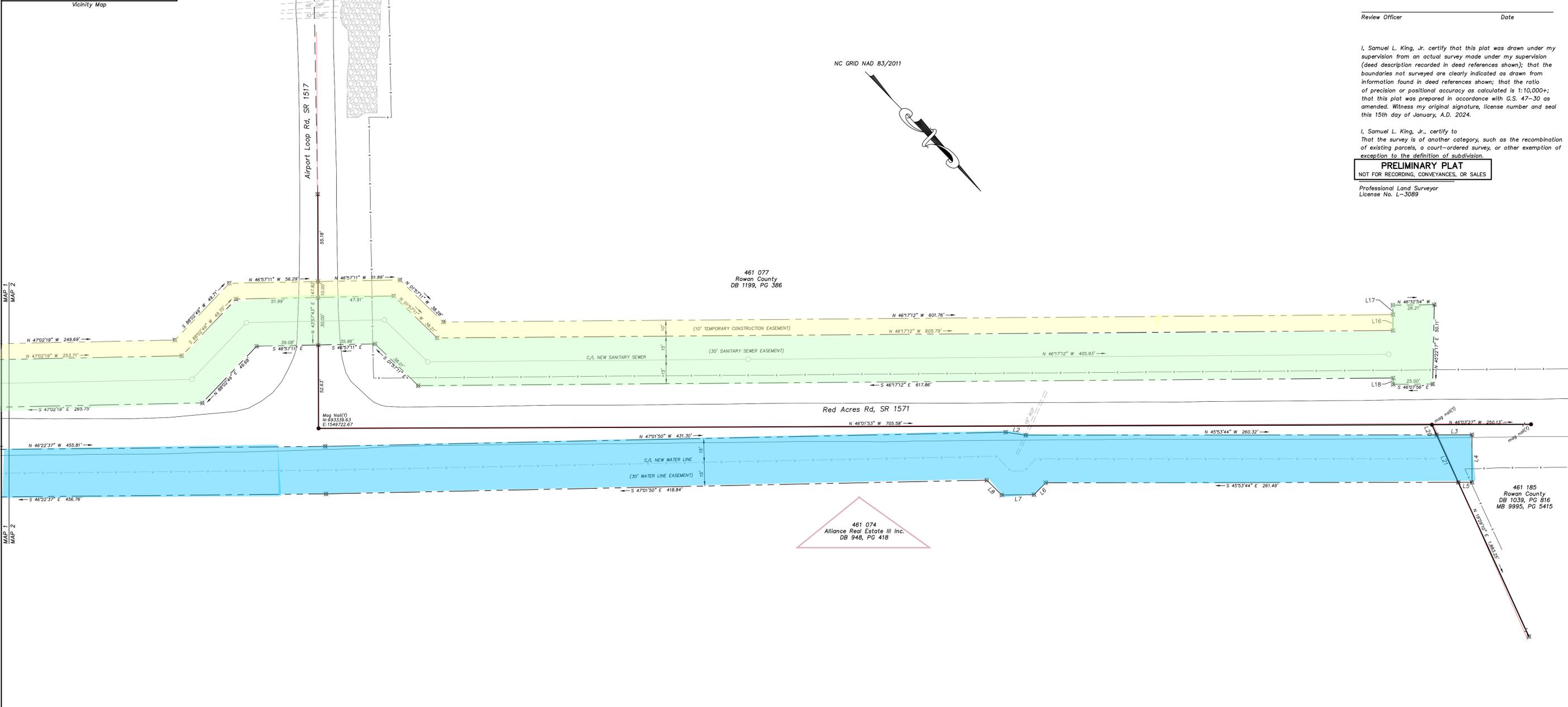
Review Officer _____ Date _____

I, Samuel L. King, Jr. certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in deed references shown); that the boundaries not surveyed are clearly indicated as drawn from information found in deed references shown; that the ratio of precision or positional accuracy as calculated is 1:10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this 15th day of January, A.D. 2024.

I, Samuel L. King, Jr., certify to That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption of exception to the definition of subdivision.

PRELIMINARY PLAT
NOT FOR RECORDING, CONVEYANCES, OR SALES

Professional Land Surveyor
License No. L-3089



- NOTES:
- All distances are horizontal unless otherwise noted.
 - All acreage is by coordinate method.
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 - This property is not located in a 100 year flood zone as shown on F.E.M.A. Firm Map # 37105659 00J Effective Date: June 16, 2009, & F.E.M.A. Firm Map # 37105649 00J Effective Date: June 16, 2009.
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- LINE DATA:
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 - L9: S 22°18'46" W, 13.50'
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 - L13: S 19°44'10" W, 1.93'
 - L14: S 32°17'53" W, 14.94'
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 - L19: S 46°25'32" E, 3.75'
 - L20: N 19°29'10" E, 7.05'
 - L21: N 19°29'10" E, 33.00'

- REFERENCES
- DEED REFERENCES AS SHOWN
 - MB 9995, PG 801
 - MB 9995, PG 2304
 - MB 9995, PG 5415

PRELIMINARY PLAT
NOT FOR RECORDING, CONVEYANCES, OR SALES

**RUQ MID CAROLINAS AIRPORT
WATER & SEWER EXTENSION
EASEMENT ACQUISITION MAP 2
CITY OF SALISBURY, LOCKE TOWNSHIP, ROWAN COUNTY, NC**

Plat Prepared By:
King Engineering of Concord, Inc., C-4909
35 Church Street, South, Suite 107
Concord, North Carolina 28025
Mailing Address:
401 Foleet Drive, Morganton, North Carolina 28655
Phone (828) 403-5566

kingengineer.com
January 15, 2024
Job Number 2023-053
Scale: 1" = 30'
0 15' 30' 60' 90' 120'



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Approve a Radio Equipment Loan Agreement with Rowan County, for new radios for the Police and Fire Depts.

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Fire Chief R. A. Parnell

Main Point of Contact Email: BPARN@salisburync.gov

Phone: (704) 638-4464



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Key Area: Public Safety (Fiscally responsible radio replacement project to provide modern communication equipment for the safety of police, firefighters and the public)

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Rowan County providing all new equipment including portable radios (walkie-talkies) and vehicle mounted radios, including installs, at no cost to the City.

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

City Council to consider approval of Equipment Loan Agreement with Rowan County to provide new public safety portable and mobile radios (Approximately 313 radio units-- Expect 138 portables, 4 mobiles and Control Stations for Fire Department and 111 portables and 60 mobiles for the Police Department) at no cost to the City. Rowan County Commissioners will review/reviewed this agreement at their May 6, 2024 meeting.

City to submit similar number of older radios to Rowan County in exchange for new, modern radios (This is a one-for-one swap requirement). The City Telcom Division will keep/ maintain the best radios to pass along to Public Works, SRU and other City Departments.

Rowan County will provide all new equipment including portable radios (walkie-talkies) and vehicle mounted radios, including installs, at no cost to the City.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

City Council to consider approval of a Radio Equipment Loan Agreement with Rowan County for the Police and Fire Departments.

Department Head Signature (Required)

R. A. Parnell

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

EQUIPMENT LOAN AGREEMENT

THIS EQUIPMENT LOAN AGREEMENT (“Agreement”) is made as of this the __ date of _____, 2024 by and between ROWAN COUNTY, a body politic of the State of North Carolina (“County”) and _____ (“Borrower”). County and Borrower may be referenced collectively in this Agreement as the “Parties” or each individually as a “Party.”

WITNESSETH:

WHEREAS, County has purchased new replacement Motorola radios and desires to loan a certain number of such radios to each of the county municipalities or other agencies in an effort to standardize emergency communications among the several emergency services and/or law enforcement agencies; and

WHEREAS, Borrower desires to borrow the radios consistent with the terms contained herein; and

WHEREAS, this Agreement is authorized by North Carolina General Statutes, and the parties hereto have followed all of the necessary local and state procurement policies and are duly authorized to enter into this Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises made herein below, the parties agree as follows:

1. Equipment. Subject to all terms and conditions of this Agreement, County will loan to Borrower the materials or equipment specified on the attached Exhibit A (the “Equipment”), as may be amended from time to time to reflect Equipment changes.
2. Term. The term (the “Initial Term”) of this Agreement shall be TEN (10) YEARS and begins on the __ day of _____, 2024, and expires on the __ day of _____, 2034, unless the Agreement is either sooner terminated or extended by mutual agreement in writing; provided, however, this Loan Agreement shall automatically extend for an additional TEN (10) YEAR period (the “Extension Term”) in the event that the County has not provided a total replacement of the Equipment prior to the expiration of the Initial Term.
3. Permitted Use. The Equipment shall be used for the sole purpose of emergency communications consistent with all adopted policies of the County as provided to each Borrower. At the end of the Term, Borrower shall return the Equipment in its original condition, ordinary wear and tear accepted.

4. Changes to Equipment. The County will not change or cause change of attributes of the communication equipment, including fleet maps, hardware, available channels, signal strength, distribution, utilization, etc., without the Borrower's written and signed approval of such. Signature of the City Manager or affected Department Heads (Police Chief, Fire Chief) is required for approval to modify equipment, procedure and usage associated with City departments.

5. Acquisition of Equipment. County has procured the Equipment consistent with state and local procurement policies and statutes.

6. Responsibility for Loss or Damage. Borrower is responsible, from the time Borrower takes possession of Equipment until Equipment is returned to the possession of County, for any Equipment that is lost or damaged beyond repair from the time Borrower takes possession until the Equipment is returned to the possession of County. "Damaged beyond repair" is defined as such damage determined by Motorola under any applicable repair policies or programs that exceeds "depot repair" costs, currently \$1,000.00). All other damaged Equipment shall be returned to the County and shall be repaired by the County under its available repair programs with Motorola, and to the extent available, County shall use reasonable efforts to provide replacement Equipment while any individual unit is being repaired or replaced.

7. Insurance. At all times during its possession of the Equipment, Borrower shall maintain all-risk insurance coverage against loss or damage of the Equipment up to its replacement value.

8. Indemnification. Borrower accepts all risks to itself and to any third parties that may result or arise out of the possession or use of the Equipment and, to the extent allowed by law, agrees to indemnify and save harmless County, its officers, agents, and employees from all loss, cost and expense arising out of any liability or claim of liability for damages to person or property arising out of its possession or use of the Equipment.

9. No Warranty. Borrower accepts the Equipment "As Is". County makes no warranty of any kind including that the Equipment is suitable for the use for which it is designed.

10. Termination: This Agreement may be terminated in the event of Borrower's failure to comply with the terms and conditions of this Agreement; provided, however, the County shall provide written notice to Borrower of such breach and allow thirty (30) days for Borrower to cure the breach. It is not the intent of this statement to remove critical communications equipment from the Borrower's emergency services units but to jointly and collaboratively assure professional and effective communication equipment utilization.

11. Ownership. The County shall at all times be the Owner of all Equipment herein. Because the Equipment serves as collateral for the County's financing of the Equipment, Borrower shall at all times maintain a complete log of all Equipment in its possession and shall provide such log to County upon request to confirm that all Equipment is readily available and in use.

12. Assignment. Borrower shall not assign this Agreement or any privileges granted hereunder without the prior written consent of County.

13. Notices. All notices shall be hand delivered, sent by private overnight mail service, or sent by registered or certified U.S. mail and addressed to the Party to receive such notice at the address given below, or such other address as may hereafter be designated by notice in writing:

If to County:

Rowan County Emergency Services

ATTN: Allen Cress, Director

130 West Innes Street

Salisbury, NC 28144

If to Borrower:

14. Entire Agreement. This Agreement contains the entire agreement of the Parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions to this Agreement shall be in writing and executed by the authorized representatives of both Parties.

15. No Waiver. The waiver by County of any agreement, condition, or provision contained in this Agreement will not be deemed a waiver of any subsequent breach or any other agreement, condition, or provision contained in this Agreement, nor will any custom or practice that may develop between the Parties in the administration of the terms of this Agreement be construed to waive or lessen the right of County to insist upon Borrower's performance in strict accordance with the terms of this Agreement.

16. Governing Law. This Agreement and the rights and obligations of the Parties hereto shall be interpreted, construed and enforced in accordance with the laws of the State of North Carolina, without regard for its conflict of laws provisions, which shall be the exclusive venue for any legal proceedings arising from or incident to this Agreement.

17. Severability. Should any provision of this Agreement be declared illegal, void, or unenforceable under North Carolina law, or shall be considered severable, the Agreement shall remain in force and be binding upon the Parties hereto as though the said provision had never been included.

{Signature Page Follows}

IN WITNESS WHEREOF, County and Borrower have executed this Agreement as of the date of the last signature below as indicated by the signatures of their authorized representatives.

BORROWER: _____,

Name: _____

ITS: _____

ROWAN COUNTY, a body politic of the State of
North Carolina,

Name: _____

ITS: Manager, Chairman

{NOTE: insert pre-audit from municipality}



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Contract with Tim Johnson Landscaping for Interstate 85 and E. Innes St. Interchange Grounds Maintenance.

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Stephen Brown, Public Works

Main Point of Contact Email: sbrow@salisburync.gov

Phone: 704-754-6881



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category:



Action



Information Only



Other

Select if one of these categories apply:



Ordinance



Resolution



Contract

Strategic Plan

Focus Areas:



Healthy, Safe & Engaged Neighborhoods



Economic & Workforce Development



Public Safety



Organizational Excellence



Sustainable Infrastructure



Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Sustainable Infrastructure: Maintaining our I-85 and E. Innes St. gateway to the City. Public Safety: Pruning landscape to keep the area open and visible reducing concealed areas.

Fiscal Note

Is this item included in the current Fiscal Year budget?



Yes



No



No Budgetary Impact

If no, identify the funding source

It is included as part of the FY2024-2025 budget.

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

We are requesting City Council to authorize the City Manager to execute a three year contract for the grounds maintenance of the I-85 and E. Innes St. interchange, in the amount of \$63,515.15 annually between the City and Tim Johnson Landscaping. The city received four submittals to RFP 033-2024a, and Tim Johnson Landscaping was the low bidder.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Council to authorize the City Manager to execute a three year contract in the amount of \$63,515.15 annually, with Tim Johnson Landscaping Inc., for the grounds maintenance of I-85 and E. Innes St. interchange.

Department Head Signature (Required)

A handwritten signature in black ink, appearing to read "Tim Johnson", is centered within a rectangular box.

Bid Tabulation Interstate 85 Grounds Maintenance					
	4/22/2024				
	Yearly Maintenance Break Down	Tim Johnson Landscaping Inc.	Neighborhood Maintenance Inc.	Hammond's Landscaping Corporation	Mirror Bend, LLC
52 Weeks	Litter and Debris Cleanup and Disposal Blow Sidewalks				
	Subtotal	18,720.00	10,400.00	31,200.00	70,400.00
34 Weeks	Mow and edge sidewalks - March to November				
	Subtotal	24,055.34	34,000.00	81,600.00	74,250.00
12 Times per Year - Monthly	Spray all mulched areas, including mulch rings around trees and the rock under the interstate bridges				
	Weed, cut and remove all vines and sprouted seedlings from plantings				
	Sub Total	9,000.00	3,600.00	1,200.00	45,650.00
1 Time per year	Prune deciduous tree canopy up to six (6) feet Prune Crape Myrtles to back of curb NO HEADING BACK OF ANY TREES				
	Subtotal	1,800.00	2,000.00	7,200.00	21,600.00
1 Time per year	Remove dead foliage from Daylilies - In November Remove dead foliage from Ornamental Grasses - In March				
	Subtotal	3,600.00	2,000.00	1,200.00	16,500.00
1 Time per year	Mulch plantings - In February NO OLD MULCH SHOWING Maintenance contractor is to load and haul mulch to Interstate site, from Old Wilkesboro site Single ground mulch				
	Subtotal	6,339.81	18,000.00	11,500.00	38,500.00
TOTAL	TOTAL	\$63,515.15	\$70,000.00	133,900.00	266,900.00



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Contract with Tim Johnson Landscaping for Bell Tower Green Grounds Maintenance.

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Stephen Brown, Public Works

Main Point of Contact Email: sbrow@salisburync.gov

Phone: 704-754-6881



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category:



Action



Information Only



Other

Select if one of these categories apply:



Ordinance



Resolution



Contract

Strategic Plan

Focus Areas:



Healthy, Safe & Engaged Neighborhoods



Economic & Workforce Development



Public Safety



Organizational Excellence



Sustainable Infrastructure



Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Sustainable Infrastructure: Maintaining Bell Tower Green landscaping.

Fiscal Note

Is this item included in the current Fiscal Year budget?



Yes



No



No Budgetary Impact

If no, identify the funding source

This is included in the FY2024-2025 Budget requests

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

We are requesting City Council to authorize the City Manager to execute a three year contract for the grounds maintenance of the Bell Tower Green Park, in the amount of \$38,493.78 annually with Tim Johnson Landscaping Inc. The city received five submittals to RFP 032-2024a, and Tim Johnson Landscaping was the low bidder.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Council to authorize the City Manager to execute a three year contract in the amount of \$38,493.78 annually, with Tim Johnson Landscaping Inc., for the grounds maintenance of Bell Tower Green Park.

Department Head Signature (Required)

A handwritten signature in black ink, appearing to read "Tim Johnson", is written inside a rectangular box.

Bid Tabulation RFQ 032-2024a Bell Tower Green Grounds Maintenance						
4/26/2024						
	Yearly Maintenance Break Down	Tim Johnson Landscaping Inc.	BrightView	Cline's Landscaping	Hammond's Landscaping Corporation	Mirror Bend, LLC
52 Weeks	Blow off pit gravel walks, paver and concrete walks, stage, drive, retaining walls and curbs Bed weed control					
	Manually weed office and restroom building's roof garden					
	Debris Cleanup and Disposal					
	Insect and disease inspection and pesticide application for control					
	Subtotal	5,139.25	12,210.00	41,080.00	187,200.00	26,000.00
36 Weeks	Mow, edge and trim lawns - February to November					
	Subtotal	11,563.31	19,463.00	24,300.00	39,600.00	36,000.00
12 Times per Year	Irrigation spring startup, monitor and winter shut down - March to November					
	Subtotal	720	3,778.00	8,640.00	1,200.00	21,000.00
4 Times per Year	Turf care program					
	Follow NCSU Bermuda grass Lawn Maintenance Calendar					
	Preemergent weed and insect control					
	Postemergent weed control					
	Fertilization and liming					
	Subtotal	1,775.00	1,843.00	5,200.00	8,986.00	21,000.00
36 Time per year	Trees, shrubs, perennials and ground cover trimming					
	Leaf and debris removal					
	NO HEADING BACK OF ANY TREES					
	Subtotal	4,400.00	5,675.00	16,920.00	6,000.00	45,000.00
2 Time per year	Trees, shrubs, perennials and ground covers fertilization					
	Subtotal	1,701.25	863.00	1,200.00		72,000.00
1 Time per Year	Mulching BTG planting areas					
	No mulch within six (6) inches of root collar, of the trees					
	Subtotal	2,750.00	2,638.00	5,600.00		3,000.00
1 Time per year	Replenish Pit Gravel - February					
	Subtotal	1,950.00	2,775.00	2,780.00	13,600.00	20,000.00
SUBTOTAL	SUBTOTAL Maintenance of BTG	29,998.81	49,245.00	105,720.00	256,586.00	244,000.00
Alternate 1	Renovating the Bermuda Lawn				626	
	Subtotal	5,744.97	3,000.00	6,000.00		32,000.00
Alternate 2	Additional Mulching BTG plantings					
	Subtotal	2,750.00	2,638.00	5,600.00		3,000.00
TOTAL	TOTAL	\$38,493.78	\$54,883.00	\$117,320.00	257,212.00	279,000.00



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Voluntary Annexation Request - Shay Crossing Phase 4

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Hannah Jacobson, Planning Director

Main Point of Contact Email: Hannah.Jacobson@salisburync.gov

Phone: 704-638-5230



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Undertake ventures for redevelopment to encourage economic growth.

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Fiscal impact is unknown at this time. This will be investigated and included in future Council correspondence.

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

The Planning and Neighborhoods Department has received a petition from B&C Land Farming, LLC to annex 23.78 acres, located at 570 Earnhardt Road and identified on Rowan County Tax Map 065 Parcel 008, and Tax Map 067 Parcel 189, and a portion of Tax Map 058 Parcel 088. In accordance with State Statutes, the annexation request will be discussed at three Council meetings. At the first meeting, Council will receive the request and adopt a resolution instructing the City Clerk to investigate the sufficiency of the request. At the second meeting, staff will certify the statutory requirements have been met, and Council will set a public hearing date. At the third meeting, Council will hold a public hearing and vote on the annexation.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

City Council to receive the request for the voluntary annexation of Tax Map 065 Parcel 008, and Tax Map 067 Parcel 189, and a portion of Tax Map 058 Parcel 088, located at 570 Earnhardt Road, and adopt a resolution instructing the City Clerk to investigate the sufficiency of the request.

Department Head Signature (Required)

Faunelle Jackson

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31, FOR VOLUNTARY ANNEXATION OF TAX MAP 065 PARCEL 008, TAX MAP 067 PARCEL 189, AND A PORTION OF TAX MAP 058 088, 23.78 ACRES LOCATED AT 570 EARNHARDT ROAD.

WHEREAS, a petition requesting annexation of an area described in said petition has been received on May 7th, 2024 by the City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Salisbury deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of that investigation.

Karen K. Alexander, Mayor

ATTEST:

Connie B. Snyder, NCCP
City Clerk

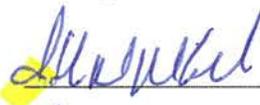
Date: 3/18/2024



PETITION REQUESTING VOLUNTARY ANNEXATION
Shay Crossing Phase 4

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>058</u> PCL <u>088</u>	<u>B&C Land Farming LLC</u>		<u>2627 Brekonridge Centre Dr., Suite 103, Monroe, NC 28110</u>
TM <u>065</u> PCL <u>008</u>	<u>B&C Land Farming LLC</u>		<u>2627 Brekonridge Centre Dr., Suite 103, Monroe, NC 28110</u>
TM <u>067</u> PCL <u>189</u>	<u>B&C Land Farming LLC</u>		<u>2627 Brekonridge Centre Dr., Suite 103, Monroe, NC 28110</u>

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person Andrew McDonald (Dependable Development Inc) Telephone Number (704) 288-7256

For Office Use Only:

Total number of parcels 3 Number Signed _____ % Signed _____ Date Returned _____
Contiguous per GS 160A-31 or Non-contiguous "satellite" per GS 160A-58 _____ (check one)

CITY OF SALISBURY

P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Additional CMAQ Funding, Project C-5603D, Old Concord Road Sidewalk

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Wendy Brindle, Transportation Director

Main Point of Contact Email: wbrin@salisburync.gov

Phone: 704-638-5201



Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)



Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Continue to invest in our infrastructure to plan for economic and sustainable growth and implement adopted CIP projects for general fund

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

Project C-5603D, sidewalk on Old Concord Road between Ryan Street and Jake Alexander Boulevard, was recently awarded additional federal CMAQ funds of \$1,277,268, with a required local match of \$319,317. This project was originally awarded \$414,000, including the local match. Because of delays experienced during the pandemic, the project costs increased drastically.

Project C-5603D will provide sidewalk, curb & gutter and drainage along Old Concord Road between Ryan Street and Jake Alexander Boulevard. It will connect to recently completed sidewalk on Ryan Street from Celebration Drive to Old Concord Road, and will also complete the gap for sidewalk from Jake Alexander Boulevard all the way to downtown.

Staff is currently working with NCDOT to get construction authorization, and hope to have the project under contract for construction by the end of the current fiscal year. The additional federal award will ensure funding is available for project completion.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Council to authorize the City Manager to execute a Supplemental Agreement with NCDOT for additional CMAQ funds of \$1,277,268 and a corresponding 20% local match of \$319,317

Department Head Signature (Required)

Wendy Biddle

NORTH CAROLINA
ROWAN COUNTY

SUPPLEMENTAL AGREEMENT

DATE: 4/25/2024

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: C-5603D

AND

WBS ELEMENTS: PE 43713.1.4

ROW 43713.2.4

CITY OF SALISBURY

CON 43713.3.4

OTHER FUNDING:

FEDERAL-AID #: CMAQ-1002(051)

CFDA #: 20.205

TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$1,277,268

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the City of Salisbury, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department and the Municipality on 12/7/2017, entered into a certain Project Agreement for the original scope: construction of sidewalks along Old Concord Road from Ryan St to Jake Alexander Blvd, programmed under Project C-5603D; and,

WHEREAS, this Supplemental Agreement is to provide additional CMAQ funding and extend the completion date of the project.

NOW THEREFORE, the parties wish to supplement the aforementioned Agreement whereby the following provisions are amended:

3. FUNDING

REIMBURSEMENT FOR ELIGIBLE ACTIVITIES

Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of federal funds, the Department shall reimburse 80% of eligible expenses incurred by the Municipality up to a maximum of \$1,608,468 of CMAQ funds. The Municipality will provide \$402,117 as their local match and all costs that exceed the total estimated cost per the Revised Funding Table below:

REVISED FUNDING TABLE

Fund Source (Agreement #)	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
CMAQ (#7519)	\$331,200	80%	\$82,800	20%
CMAQ (#12893)	\$1,277,268	80%	\$319,317	20%
Subtotal	\$1,608,468	80%	\$402,117	20%
Total Estimated Cost		\$2,010,585		

WORK PERFORMED BY NCDOT

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, during any phase of the delivery of the Project, shall reduce the funding available to the Municipality under this Agreement. The Department will set aside ten percent (10%) of the total estimated cost, or \$201,058 to use towards the costs related to review and oversight of this Project, including, but not limited to review and approval of plans, environmental documents, contract proposals, engineering estimates, construction engineering and inspection oversight, and other items as needed to ensure the Municipality’s appropriate compliance with state and federal regulations.

In the event that the Department does not utilize all the set-aside funding, then those remaining funds will be available for reimbursement to the Municipality at the above reimbursement rate. For all cost of work performed on the Project, whether incurred by the Municipality or by the Department, the Municipality shall provide the non-federal match. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the Total Estimated Cost.

4. PERIOD OF PERFORMANCE

The Municipality has until March 30, 2026, to complete all work outlined in the Agreement. Completion for this Agreement is defined as completion of all construction activities or implementation activities, acceptance of the project, and submission of a final reimbursement package to the Department.

If additional time is needed to complete the Project, then a supplemental agreement must be executed. The Department may allow up to three additional months for submission of final reimbursement package by the Municipality, without entering into a supplemental agreement. The Department and/or FHWA reserves the right to revoke the funds awarded if the Municipality is unable to meet milestone dates included herein.

OTHER PROVISIONS

The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

Parties acknowledge and agree that the electronic signature application DocuSign may be used to execute this Agreement and any associated documents. By selecting "I Agree," "I Accept," or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the DocuSign application, Parties consent to be legally bound by the terms and conditions of this Agreement and that such act constitutes each Party's signature as if actually signed by each Party in writing. Parties also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. Parties acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby, through the DocuSign application, will have the same effect as physical delivery of the paper document bearing an original written signature.

Except as hereinabove provided, the Agreement heretofore executed by the Department and the Municipality on 12/7/2017, is ratified and affirmed as therein provided.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

CITY OF SALISBURY

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Salisbury

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Byrne Criminal Justice Initiative Grant Update

Requested Council Meeting Date: 05/07/2024

Name and Title of Presenter(s): Patrick Smith

Main Point of Contact Email: psmit@salisburync.gov

Phone: 704-216-7581

Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

BCJI Coordinator- Major Corey Brooks
Project Consultant- Gwen Jackson
Contracts and BJA measures- Major Justin Crews
Communication Strategy
Complete public safety projects .

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Grant award from the Bureau of Justice Assistance (BJA)

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

Update Council on the progress made with the Byrne Criminal Justice Initiative (BCJI) Grant for the West End community. Provide information on staff assignments made to supervise the different aspects of the Grant. (No Action needed by Council, this is an update only).

Major Brooks has taken on the position of project coordinator and Gwen Jackson has agreed to remain on as a consultant. Major Crews will oversee contracts and information to get provided to the BJA for final report purposes. Lt. Moreau, Major Brooks, and Gwen Jackson will work with the community and all future community meetings.

May 14th, from 10:00 am until 1:00 pm there will be a mandatory awardee on-boarding session at Livingstone College for the 23 awardees to attend that are receiving the summer youth grants.

Letters are getting sent to awardees about the meeting with updated contact information to reflect Major Brooks.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

No action is required of Council.

Department Head Signature (Required)

A handwritten signature in blue ink is centered within a rectangular box. The signature is cursive and appears to read "R. J. [unclear]".



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: New Sarum Parking Lot Lease

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Sada Troutman

Main Point of Contact Email: sada.troutman@salisburync.gov

Phone: 704-638-5239

Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Promote an environment to support small business development and growth to include evaluation of grants and partnerships that benefit small businesses.

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

New Sarum has requested to renew a lease that offers them a portion of the parking lot adjacent to their property from Friday evening through Sunday, so that the lot may be closed for seating, music and entertainment related to the brewery. This lease contract came to City Council in April 2023, and was approved. This year, the only change to the lease is that New Sarum may explore putting a tent or shelter over the leased portion, provided they receive prior approval from the City in writing after providing an image of the tent or shelter, the tent or shelter may not take up any parking spaces, it must be able to withstand weather, and New Sarum's insurance must cover the liability. They would also need to seek any other approvals potential approvals, such as a COA.

All other elements of the lease agreement remain the same, and it would be a one year lease.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Staff recommends Council authorize the City Manager to enter into a one year lease agreement with New Sarum Brewing Company.

Department Head Signature (Required)

Sada Troutman

NORTH CAROLINA
ROWAN COUNTY

LEASE AGREEMENT

This Lease Agreement ("Lease") is entered into April ____, 2024, by and between the **City of Salisbury**, a North Carolina municipal corporation ("City") and **New Sarum Brewing Co., LLC**, a North Carolina limited liability company ("New Sarum") (collectively, the "Parties").

For and in consideration of the mutual promises set forth in this Lease, the Parties hereby agree as follows:

1. Acknowledgments.

- a. New Sarum owns and operates a brewery and tap room located at 109 North Lee Street in Salisbury, North Carolina.
- b. The City owns and operates a public parking lot adjacent to New Sarum located at 115 North Lee Street and identified as Rowan County Tax Parcel ID No. 010 283 (the "Property").
- c. New Sarum has requested that the City lease a portion of the Property to New Sarum on weekends to allow New Sarum to host weekend events and expand its customer seating and event area onto the Property. New Sarum has also requested that the City lease to it for the entire duration of the Lease term (not just on weekends) certain portions of the parking lot to store furniture and equipment related to New Sarum's use of the weekend space.
- d. The City is interested in leasing a portion of the Property to New Sarum for those purposes, has determined that the portion of Property leased will not be needed by the City during the lease Term, and has concluded that leasing the Property will generate additional economic activity in the area and indirectly benefit the City and its citizens.
- e. In accordance with the terms and conditions of this Lease, the City is willing to lease a portion of the Property to New Sarum.

2. **Lease.** The City agrees to lease the Leased Space to New Sarum for the Term of this Lease.

3. **Leased Space.** The Leased Space shall be that portion of the Property identified as the "Storage Space" and the "Event Space" in the map attached as **Exhibit A**, which is incorporated into this Agreement (except where otherwise indicated, for purposes of this Lease, the Storage Space and Event Space are referred to collectively as the "Leased Space").

4. **Term.** This Lease is for a Term of one year and shall commence on April ____, 2024, and shall end on April __, 2025, unless sooner terminated in accordance with this Lease. During the Term, New Sarum has the exclusive right to the Leased Space as follows:

- a. Storage Space. New Sarum may use the Storage Space at all times during the Term.
 - b. Event Space. New Sarum may use the Event Space on weekends only during the Term. Specifically, New Sarum's lease for the Event Space begins each week at 5:00 p.m. on Friday and ends at 11:59 p.m. on the following Sunday. Each week between 12:00 a.m. on Monday and 4:59 p.m. on the following Friday, New Sarum shall have the same rights as the public to use the Event Space.
5. **Lease Payments**. New Sarum shall pay the City rent in the amount of **Two Hundred Fifty and 0/100 Dollars (\$250.00) per month** payable in advance on or before the first day of every month during the Term of the Lease. A late charge of Twenty Five and 0/100 Dollars (\$25.00) will be applied to any rent payment not made by the 10th of any month. Any late payment may be cured within ten (10) days of notice from the City to New Sarum and New Sarum tendering payment in full of the monthly rent and any late payment.
6. **Use of the Leased Space**.
- a. Storage Space. New Sarum may use the Storage Space to build or erect one or more temporary buildings, fences, or other structures to store tables, chairs, and other furniture and equipment related to its business. New Sarum shall not erect any building, fence, or structure without the prior written approval of the City as to its location, orientation, and appearance, which approval the City may provide or withhold in the City's sole discretion. New Sarum acknowledges that any approval granted by the City pursuant to this paragraph shall not constitute a Certificate of Appropriateness granted by the Salisbury Historic Preservation Commission or any other regulatory approval required by law.
 - b. Event Space. New Sarum may use the Event Space for any lawful purpose related to its business. Further, New Sarum may erect a shelter or tent, provided the following conditions are met: 1) prior to installing the shelter or tent, New Sarum provides the City with a drawing or rendering or other representation of the shelter or tent; 2) the shelter or tent does not block or otherwise render unusable any of the parking spaces on the Property during the week; 3) New Sarum provides the City with a certification or other evidence satisfactory to the City that the shelter or tent is reasonably capable of withstanding weather events without damage to persons or property; 4) New Sarum's insurance covers provides sufficient coverage for any personal or property damage resulting from the tent or structure; and 5) the City, in its sole discretion and in writing, approves of the shelter or tent. New Sarum acknowledges that any approval granted by the City pursuant to this paragraph shall not constitute a Certificate of Appropriateness granted by the Salisbury Historic Preservation Commission or any other regulatory approval required by law.
 - c. Rules for the Event Space
 - i. *Cleaning*. New Sarum shall keep the Event Space neat and clean when it is in exclusive control of the Event Space, and shall ensure that the Event

Space is neat and clean and free of any furniture, equipment, or other obstructions that block parking spaces at the end of each weekend.

- ii. *Fencing between Event Space and parking.* New Sarum shall erect temporary fencing or dividers between the Event Space and the rest of the Property during the time it is in exclusive possession of the Event Space so as to ensure that its customers are not exposed to any vehicular traffic.
 - iii. *Noise.* New Sarum shall limit the noise emitting from the Event Space to ensure the peace and quiet enjoyment of neighboring properties. In addition to any other measures required to achieve this purpose, live music within the Event Space will end by 10 p.m.
 - iv. *Restrooms.* New Sarum will provide sufficient restroom facilities for the size of crowd expected.
 - v. *Security.* New Sarum will provide sufficient security personnel for the size of crowd expected.
- d. Public sidewalk to remain open. The public sidewalk located within the Property and identified in **Exhibit A** shall remain open to the public during the Term.
7. **Signs.** The City shall provide and install signs on the Property indicating the specific days and times that a portion of the Property is closed to the public during the Term.
8. **Towing.** New Sarum, and not the City, has the right but not the obligation to remove personal property, including vehicles, placed or parked in the Leased Space during the times the Leased Space is exclusively leased by New Sarum.
9. **Good faith cooperation and quarterly meetings.** New Sarum and the City agree to work in good faith to achieve the purposes of this Lease in a manner that is beneficial to New Sarum and the City and not detrimental to any of New Sarum's neighbors or citizens generally. To that end, New Sarum and the City agree to meet on a quarterly basis, or more often as needed, to address and resolve any issues or complaints related to New Sarum's use of the Leased Space, including amending this Lease where required.
10. **Events of Default.** Events of Default for the Parties include the following:
- a. For New Sarum: (1) failure to timely make rent payment, subject to New Sarum's right to cure; (2) damaging the Leased Space and failure to cure or repair the same within thirty (30) days of written notice from the City; (3) failure to provide the required insurance or insurance certificates; (4) failure to abide by the rules set forth in paragraph 6.c.; and (5) any other material breach of the terms and conditions of this Lease.
 - b. For City: (1) failure to provide Leased Space; (2) interference with New Sarum's use of the Leased Space; and (3) any other material breach of the terms and conditions of this Lease.

11. **Termination.** This Lease shall terminate at the end of the Term without action of either Party unless sooner terminated pursuant to this paragraph. This Lease may be terminated after notice to the other Party that an Event of Default has occurred and expiration of any applicable cure period. Upon the occurrence of any Event of Default by New Sarum, the City may, at its option, evict New Sarum in accordance with law. This Lease may be terminated by New Sarum for convenience upon written notice to the City.
12. **Governmental approvals.** Nothing in this Lease shall be construed as granting any governmental approval that is not expressly set forth in this Lease. By way of illustration and not limitation, New Sarum shall be responsible for the following: (1) securing any Certificate of Appropriateness from the Salisbury Historic Preservation Commission for any buildings or structures allowed by this Lease; (2) securing any other land use approval required for any activity allowed by this Lease; (3) securing any permit or license to sell alcoholic beverages within the Leased Space; and (4) securing any other approval or permit required by any local, State, or federal law.
13. **Insurance.** New Sarum shall maintain \$1,000,000 in Commercial General Liability insurance. The "City of Salisbury, a North Carolina municipal corporation" shall be named by endorsement as an additional insured on the policy. Certificates of such insurance shall be furnished by New Sarum to the City and shall contain an endorsement to provide the City at least ten (10) days' written notice of any intent to cancel or terminate by either New Sarum or the insuring company. Failure to furnish insurance certificates or maintain such insurance shall be an Event of Default under this Lease.
14. **Indemnity.** For any incident alleged to have occurred within the Storage Space, or within the Event Space during any period of time when New Sarum is in exclusive control of the Event Space, New Sarum shall indemnify and hold harmless the City and its agents and employees from and against all claims, demands, costs, damages, losses, or expenses resulting from the alleged incident, except for incidents that are proximately caused by the negligence of the City. Provided, however, that nothing in this paragraph shall be construed to require that New Sarum indemnify the City for incidents occurring within the Event Space during any time period when the City is in possession of the Event Space, or for incidents occurring within the public sidewalk that are not proximately caused by the negligence of New Sarum.
15. **Nondiscrimination.** By signing this Lease, New Sarum, for itself, its agents, officials, and employees, certifies that it does not and will not discriminate in any manner on the basis of race, color, national origin, ethnicity, religion, creed, age, disability, sex, sexual orientation, gender identity or expression, pregnancy, marital or familial status, National Guard or veteran status, or any other status protected by federal, state, or local law, in its employment or business practices, except where such actions are otherwise excepted from or allowed by federal nondiscrimination law, including, but not limited to, Title VII of the Civil Rights Act of 1964. New Sarum further agrees to comply with the provisions and intent of City of Salisbury Ordinance No. 2021-52. That Ordinance is incorporated into this Lease for the benefit of the City of Salisbury and its residents. To ensure compliance with this provision, New Sarum further agrees that it will promptly respond to reasonable requests

for information from the City. Failure to respond to requests for information or failure comply with the requirements of this provision shall constitute a breach of the Lease.

16. **Entire Agreement.** This Lease, and any other document(s) expressly incorporated by reference as a part of this Lease, constitutes and expresses the entire agreement and understanding between the Parties concerning its subject matter. This Lease supersedes all prior and contemporaneous discussions, promises, representations, agreements and understandings relative to the subject matter of this Lease. To the extent there may be any conflict between the four corners of this Lease and other documents incorporated by reference herein, the terms of this Lease will control.
17. **Attached Exhibits.** The following document is attached to this Lease and incorporated by reference herein:

Exhibit A: New Sarum Lease Map
18. **No assignment.** New Sarum may not assign, transfer, or sublease the Leased Space without the written consent of the City.
19. **No waiver.** The failure of either Party to insist in any instance on strict performance of any term or condition of this Lease shall not be construed as a waiver of such term or condition.
20. **Amendments in writing.** This Lease may be amended only in writing and signed by both Parties.
21. **Severability.** If any provision of this Lease shall be declared invalid or unenforceable, the remainder of the Lease shall continue in full force and effect.
22. **Counterparts and execution.** This Lease may be executed in any number of counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. The Parties agree that computer scanned and/or faxed signatures or copies of this Lease will have the same validity and force as an "original."
23. **Authority to Enter Contract.** The person(s) executing this Lease on behalf of the Parties have authority to do so as an official, binding act of the respective Party.

IN WITNESS WHEREOF, the Parties hereto have caused this Lease to be executed the day and year first written above.

CITY OF SALISBURY

By: _____
Jim Greene, Jr., City Manager

NEW SARUM BREWING CO., LLC

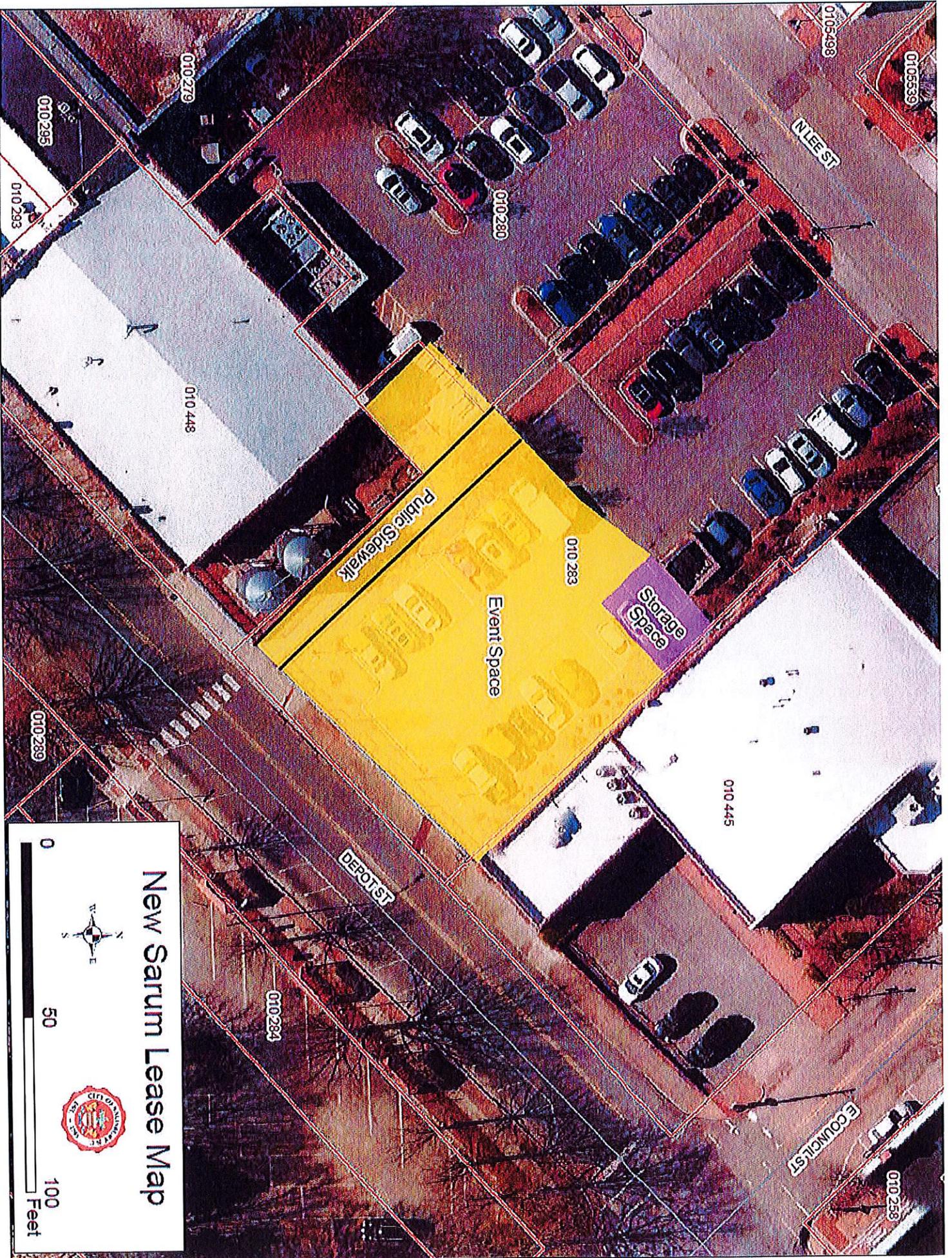
By:

Gianni Moscardini, Member-Manager

DRAFT

EXHIBIT A
(MAP TO BE ATTACHED)

DRAFT



New Sarum Lease Map





Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Council to consider amending the City of Salisbury Investment Grant Program to adjust the percentage of incentive for qualifying projects.

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Downtown Development Director Sada Troutman, Planning and Neighborhoods Director Hannah Jacobson and Administrative Services Director Kelly Baker

Main Point of Contact Email: kbake@salisburync.gov

Phone: 704-638-5233

Consent Agenda
(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda
(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Not associated with a specific strategy

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

During Council's 2024 Retreat, EDC President Rod Crider and EDC Vice-President Scott Shelton presented information on recent changes to Rowan County's Investment Grant Program. There was interest in modifying Salisbury's existing Investment Grant Program to match the percentages for Level 1, 2, and 3 grants and for staff to review additional changes including a scoring matrix specific to the City's strategy for economic growth. A team of City staff has been working on the long-term proposals for the economic incentive policy and will bring those to Council at a later date.

The short-term action requested of Council is to amend the existing policy to change the percentage of incentive for qualifying projects. The percentages are based on the value of real and personal property tax revenue anticipated to be generated by the project. The current policy provides:

- Level 1 - \$5 million investment - 75%
- Level 2 - \$10 million investment - 80%
- Level 3 - \$100 million investment - 85%

To match changes adopted in Rowan County's Investment Grant Program the levels would be adjusted to:

- Level 1 - \$5 million investment - 40%
- Level 2 - \$10 million investment - 45%
- Level 3 - \$100 million investment - 50%

A copy of the modified Investment Grant Program is attached.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Council to consider amending the City of Salisbury Investment Grant Program to adjust the percentage of incentive for qualifying projects.

Department Head Signature (Required)

Kelley Baker

CITY OF SALISBURY INVESTMENT GRANT PROGRAM

PURPOSE

The Salisbury City Council has supported economic development for more than twenty years with an emphasis on tax base development, employer diversification and job creation. The Council has recognized the need to provide programs and financial support to strengthen and diversify the City's economy. Tax base development is a key concern for the City's fiscal health. It is essential not only to attract new investment but also to encourage existing business to expand and reinvest in their Salisbury operations. The City of Salisbury INVESTMENT GRANT PROGRAM is intended to provide an inducement for new business to locate in Salisbury and encourage existing business to expand.

GRANT PROGRAM DESCRIPTION

The program provides a five-year grant to companies investing in the City of Salisbury. The grant will be established by a contract with the City of Salisbury. The company must pay their taxes in full each year based on the actual tax value of the property or investment. If the company meets all of the criteria in the contract, a portion of the property tax will be returned as a grant. The amount of the grant is based on a designated percentage level for five consecutive years.

- Investment Grants will be based on the increase in tax value of all real property, machinery and improvements above the base year prior to investment. No grant will be given to a company that would reduce their tax payment to an amount lower than the previous tax year.
- Asset purchases of existing companies already paying taxes in the City of Salisbury would not qualify for the program.
- All grant monies will be taken directly from the company's tax payment. The company must be current with all other payments required by the City of Salisbury.
- The Salisbury City Council may modify or eliminate the program subject to meeting all existing grant obligations in effect at the time.
- No company may transfer grant agreements or contracts without explicit approval by the Salisbury City Council.
- Any company that under-reports the assessed value of machinery/equipment will be required to pay the assessed property tax and the Investment Grant will not apply to the underreported value.

Grants shall not exceed five years in period of award and any one grant award period must be completed not later than seven years after initial award to allow for construction and production start-up time. An extension to these limits may be granted based upon specific project related issues, but is not guaranteed or required.

The formal agreement between the parties (grant recipient, Rowan County and City) shall attempt to specifically identify dates for purposes of establishing the appropriate time period(s) that a grant will be in effect. Dates to be established will include consideration of the date of award, a date for the beginning of construction, production start-up date and the dates for the beginning and ending of the incentive grant awards.

Each project will be dealt with on an individual basis using these guidelines and other directives authorized by the Salisbury City Council. These guidelines are subject to change and will be reviewed routinely from date of adoption, with the Salisbury City Council requiring it.

Changing economic conditions, legal issues or other factors may cause the Salisbury City Council to modify, amend, suspend or terminate the INVESTMENT GRANT PROGRAM subject to contracted grants previously awarded and in effect at that time.

Although increasing and diversifying the local property tax assessment base are the primary initiatives of this INVESTMENT GRANT PROGRAM, several other factors may be considered in authorizing a grant to any specific project. These may include but are not limited to:

- the type of industry as a further diversification of the City's business base
- the size and scope of the project based upon investment in site development, facilities, buildings and other business infrastructure inclusive of technology
- the diversity, quality and quantity of jobs created by a project and the availability of labor inclusive of job retention and retraining opportunities
- the relationship between workforce development and total project investment
- the potential for future expansion of investment and employment
- site specific issues impacting upon public infrastructure
- actions that if pursued, stimulate development in areas of the City deemed beneficial
- the ratio of investment in real versus personal property assets
- the environmental impact of the project

PROJECT QUALIFICATIONS

A primary intent of the INVESTMENT GRANT PROGRAM is to expand and diversify the City's property tax base. Minimum investment will be established and employee wage factor criteria may be established as a requirement for

consideration and award of a grant for eligible projects. These criteria are used as guidelines in project evaluations. They may be expanded upon or added to for a specific project and incorporated in the terms of the formalized grant award agreement between the participants.

- Minimum total project investment (based upon the estimated project's real and personal property assessments to be confirmed by the county assessor)
Level 1 grant category - \$ 5 million
Level 2 grant category - \$ 50 million
Level 3 grant category - \$100 million
- Level 1 grant - a grant award based upon a project's estimated tax revenue generation value, calculated to equate to approximately ~~75%~~ 40% of the value of real and personal property tax revenue value anticipated to be generated by the project. The value for real and personal property investments shall be calculated based on a period of five (5) consecutive years in determining value for grant calculation purposes. The beginning date for grant calculations is to be the date of useful occupancy and/or production startup.
- Level 2 grant - a grant award based upon a project's estimated tax revenue generation value, to be calculated to equate to approximately ~~80%~~ 45% of the value of real and personal property tax revenue value anticipated to be generated by the project. The value for real and personal property investments shall be calculated based on a period of five (5) consecutive years in determining value for grant calculation purposes. The beginning date for grant calculations is to be the date of useful occupancy and/or production startup.
- Level 3 grant - a grant award based upon the project's estimated tax revenue generation value, to be calculated to equate to approximately ~~85%~~ 50% of the value of real and personal property tax revenue value anticipated to be generated by the project. The value for real and personal property investments shall be calculated based on a period of five (5) consecutive years in determining value for grant calculation purposes. The beginning date for grant calculations is to be the date of useful occupancy and/or production startup.
- Calculations of the project grant award shall be based upon anticipated new property tax revenues the City expects to receive from a specific project; the annual grant award due to the grantee will be paid on or before March 30th each year during the grant period subject to the project's date of useful occupancy and/or production startup.
- During the grant award period, the grantee must remain current with all real property taxes assessed, other fees, taxes or other assessments levied by the grantors to remain eligible for the grant. Failure to do so results in termination of the grant award.

- Rowan County will monitor the assessed valuation of the project during the award period to assure that the process used to determine the award of the grant remains consistent with estimates used. Excessive fluctuations in the estimated project value may be cause for review of the grant inclusive of modification to the terms of the grant subject to review and action by the Salisbury City Council. (It is not intended that grants and the property taxes of a specific grant project equate exactly for the grant period. Additions, changes in real estate valuations and other factors may impact upon the actual property tax assessment base during the grant period. Estimates are used only to establish a rational link between a project and its economic impact upon the City and its citizens).
- Grants are not transferable and may not be otherwise conveyed to another party without the specific consent of the grantors (Salisbury City Council).
- Grants for expansion of existing industries will account for reductions in value associated with machinery and equipment being phased out, replaced or retrofitted as part of a project. Factors impacting employment will be evaluated and enter into determinations of grant awards.
- Grants for new projects will only consider estimated enhancements to the property tax assessment base above those existing prior to the project as proposed.
- The City shall provide detailed reporting processes to monitor and assure compliance with the terms, conditions and other specific requirements of the grant award agreement. The grantee shall comply with the reporting requirements during the grant period. The City agrees to maintain confidentiality of information deemed to be proprietary in nature. The grantee shall provide the City access to verifiable grant related support documentation. Failure of the grantee to provide the City the required grantee documentation shall cause termination of grant.
- The grantee is required to give detailed information on assets to be considered as part of the grant application process, inclusive of anticipated depreciation schedules, leasing arrangements with named parties holding financial interest in assets covered by the grant program, and all business or corporate names that may be applicable for purposes of asset ownership. Signed releases from those holding financial interests in assets may be required as documentation for grant awards.
- Rolling stock inclusive of automobiles, trucks, tractors, trailers or other licensed vehicles shall not qualify as listed assets under personal property for purposes of calculating the proposed projects investment value.

- City contributions to a specific project's infrastructure costs may be deducted from the calculated INVESTMENT GRANT PROGRAM award available for that specific project.
- The grantee shall provide documentation in support of the fact that the City's INVESTMENT GRANT PROGRAM was an important factor in its decision to locate or expand facilities in the City of Salisbury.

EXAMPLE OF GRANT AWARD

Level 1 grant (based on a \$5 million project in real property, equipment and machinery)

Current tax rate .615/100 for the grant period

~~real and personal property investment of \$5,000,000/100=\$50,000 x \$.615 x 75% = \$23,063 grant payment~~

Real and personal property investment of \$5,000,000/100=\$50,000 x \$.615 x 40% = \$12,300 grant payment

Five-year period total grant payments estimated at ~~\$115,315~~ \$61,500.

Level 2 grant (based on a \$50 million project in real property, equipment and machinery)

Current tax rate .615/100 for the grant period

~~real and personal property investment of \$50,000,000/100=\$500,000 x \$.615 x 80% = \$246,000 grant payment~~

real and personal property investment of \$50,000,000/100=\$500,000 x \$.615 x 45% = \$138,375 grant payment

Five-year period total grant payments estimated at ~~\$1,230,000~~ \$691,875.

Level 3 grant (based on a \$100 million project in real property, equipment and machinery)

Current tax rate .615/100 for the grant period

~~real and personal property investment of \$100,000,000/100=\$1,000,000 x \$.615 x 85% = \$522,750 grant payment~~

real and personal property investment of \$100,000,000/100=\$1,000,000 x \$.615 x 50% = \$307,500 grant payment

Five-year period total grant payments estimated at ~~\$2,613,750~~ \$1,537,500.

Calculations for INVESTMENT GRANT PROGRAM awards at other values and at Levels 1, 2 or 3 would be completed in a similar manner.

- Note: The ratio of real to personal property (machinery and equipment) will vary significantly among projects. Depreciation schedules will impact estimated tax assessment values depending on the type of project and applicable depreciation schedule.

PROGRAM ADOPTION. ~~AMMENDMENT~~AMENDMENT AND EFFECTIVE DATES

A pre-application meeting with the Salisbury City Council and elected officials of Rowan County on the proposed project shall be held to validate project specifics and assure that current grant program criteria are applicable. Salisbury-Rowan Economic Development Commission shall provide a fiscal analysis of the project's impact upon the community inclusive of a recommendation from its Board of Director's as to whether the project proposal should be considered for the award of an incentive grant as detailed within policy guidelines.

Only specific action by the Salisbury City Council shall be deemed acceptance of terms in a formal contractual grant agreement and by award of an INVESTMENT GRANT thereto.

Applicants for the INVESTMENT GRANT PROGRAM shall use these guidelines in applying for a grant for new industrial development projects locating in the City of Salisbury or existing industrial expansions occurring in the City of Salisbury. These guidelines shall be an attachment to each formal grant award contract approved by the City.

Other specific attachments to the formal agreement shall include but not be limited to:

- A project site plan, brief written description of the project, its scope, number and type of employment positions, phasing and timing of the development and any other information that would be viewed as important in describing the project.
- A survey and legal description of the property along with proof of ownership.
- A copy of the current City of Salisbury investment grants guidelines.
- A copy of Rowan County's investment grant guidelines (if applicable).
- The county tax card of record for the property as of January 1st of the year that the project is being considered. (Used to establish the base value of investment.)
- A copy of the most current State of North Carolina Industrial Incentive Program guidelines (if applicable).
- Other pertinent information that might apply to a specific project.

These guidelines remain in effect until otherwise modified by the Salisbury City Council.

Adopted March 21, 2006



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Ordinance to demolish two dilapidated residential structures

Requested Council Meeting Date: May 7th 2024

Name and Title of Presenter(s): Michael Cotilla Code Services Manager

Main Point of Contact Email: mcoti@salisburync.gov

Phone: 704-216-7574

Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Eliminate blight by continuing to work with property owners and neighborhoods to enforce nuisance/minimum housing regulations and pursue redevelopment opportunities for substandard and vacant properties.

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

2010 S Jake Alexander Blvd, was cited for violations of the city's minimum housing ordinance on January 5, 2024. A hearing was held on January 30, 2024. Heirs to the property attended the hearing and explained that they were currently not financially able to bring the property up to code. They asked to use their 90 day compliance deadline to remove any valuable items off of the property. The compliance deadline expires on April 30, 2024.

230 W Henderson St, was cited for violations of the city's minimum housing ordinance on September 4, 2023. A hearing was held on October 11, 2023. Heirs to the property attended the hearing and explained that they were currently not financially able to bring the property up to code and were actively trying to sell the property. The compliance deadline expired on January 11, 2024.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Council to consider adopting an ordinance to demolish two structures located at 230 W Henderson Street and 2010 S Jake Alexander Blvd, per City Code, Chapter 10 of the minimum housing ordinance.

Department Head Signature (Required)

Faunelle Jackson

AN ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNIT UNFIT FOR HUMAN HABITATION LOATED AT **230 W HENDERSON STREET** IN THE CITY OF SALISBURY, NORTH CAROLINA.

WHEREAS, the City of Salisbury finds that the dwelling described herein is unfit for human habitation under the Housing Code of the City of Salisbury and that all of the procedures of the Housing Code and of NCGS 160A-441 *et seq.* have been complied with; and

WHEREAS, this dwelling is dilapidated and the cost of repairs to make the dwelling fit for human habitation is more than 50% of the value of the structure; and

WHEREAS, the dwelling should be removed or demolished as directed by the Code Enforcement Inspector in the Finding of Fact and Order to Demolish, published on September 4 2023; and

WHEREAS, the dwelling should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the Housing Inspector confirms that as of the date of this Ordinance, the dwelling has been vacated and only rubbish remains within the interior of the dwelling unit; and

WHEREAS, the owner of this dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Housing Code in accordance with NCGS 160A-443(5) pursuant to an order issued by the Code Services Coordinator on October 11, 2023, and the owner has failed to comply with the Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury that:

SECTION 1. The Housing Inspector is hereby authorized and directed to place a placard on the dwelling containing the legend:

"This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

On the building located at the following address:

230 W Henderson Street, Salisbury, North Carolina, Rowan County
Parcel ID 011 027

SECTION 2. The Code Enforcement Officer/Housing Inspector is hereby authorized and directed to proceed to remove or demolish the above-described structure in accordance with the order to the owner dated September 4, 2023, and in accordance with the Housing Code and NCGS 160A-443:

SECTION 3. The cost of removal or demolition shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the Rowan County Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 10 of the NCGS Chapter 160A or as otherwise allowed by law.

SECTION 4. Upon completion of the required removal or demolition, the Code Enforcement Officer/Housing Inspector shall sell any materials of the dwelling and credit the proceeds against the cost of removal or demolition. The Code Enforcement Officer/Housing Inspector shall deposit the surplus in the Superior Court where it shall be secured and disbursed in the manner provided by NCGS 160A-443(6).

SECTION 5. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared unfit for human habitation.

SECTION 6. This Ordinance shall become effective upon its adoption.

ADOPTED this _____ day of _____.

Karen Alexander, Mayor

ATTEST:

Connie Snyder, City Clerk

W JACKSON ST 800
W HENDERSON ST 200

BEGIN

5

NOTICE OF VIOLATION
PROPERTY IN VIOLATION OF
CITY OF SALISBURY
MUNICIPAL CODE
704.216.7559



AN ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNIT UNFIT FOR HUMAN HABITATION LOATED AT **2010 S JAKE ALEXANDER BLVD** IN THE CITY OF SALISBURY, NORTH CAROLINA.

WHEREAS, the City of Salisbury finds that the dwelling described herein is unfit for human habitation under the Housing Code of the City of Salisbury and that all of the procedures of the Housing Code and of NCGS 160A-441 *et seq.* have been complied with; and

WHEREAS, this dwelling is dilapidated and the cost of repairs to make the dwelling fit for human habitation is more than 50% of the value of the structure; and

WHEREAS, the dwelling should be removed or demolished as directed by the Code Enforcement Inspector in the Finding of Fact and Order to Demolish, published on January 5, 2024; and

WHEREAS, the dwelling should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the Housing Inspector confirms that as of the date of this Ordinance, the dwelling has been vacated and only rubbish remains within the interior of the dwelling unit; and

WHEREAS, the owner of this dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Housing Code in accordance with NCGS 160A-443(5) pursuant to an order issued by the Code Services Coordinator on January 30, 2024, and the owner has failed to comply with the Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury that:

SECTION 1. The Housing Inspector is hereby authorized and directed to place a placard on the dwelling containing the legend:

"This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

On the building located at the following address:

**2010 S JAKE ALEXANDER BLVD , SALISBURY NORTH
CAROLINA, ROWAN COUNTY**

PARCEL ID 068A033

SECTION 2. The Code Enforcement Officer/Housing Inspector is hereby authorized and directed to proceed to remove or demolish the above-described structure in accordance with the order to the owner dated January 5, 2024, and in accordance with the Housing Code and NCGS 160A-443:

SECTION 3. The cost of removal or demolition shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the Rowan County Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 10 of the NCGS Chapter 160A or as otherwise allowed by law.

SECTION 4. Upon completion of the required removal or demolition, the Code Enforcement Officer/Housing Inspector shall sell any materials of the dwelling and credit the proceeds against the cost of removal or demolition. The Code Enforcement Officer/Housing Inspector shall deposit the surplus in the Superior Court where it shall be secured and disbursed in the manner provided by NCGS 160A-443(6).

SECTION 5. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared unfit for human habitation.

SECTION 6. This Ordinance shall become effective upon its adoption.

ADOPTED this _____ day of _____.

Karen Alexander, Mayor

ATTEST:

Connie Snyder, City Clerk





Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: CMAQ Funding Reallocation

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Wendy Brindle, Transportation Director

Main Point of Contact Email: wbrin@salisburync.gov

Phone: 704-638-5201

Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Continue to invest in our infrastructure to plan for economic and sustainable growth and implement adopted CIP projects for general fund

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

Project C-5603H, sidewalk on Brenner Avenue between Statesville Blvd and Horah St, is nearing construction, and we anticipate a funding deficit of about \$1.2 million. We have applied for additional CMAQ funds in the amount of \$981,158 (with a local match of \$245,489), but are not guaranteed to receive those, although the MPO is working with NCDOT on options. Salisbury was recently awarded extra funds of \$1.27 million for Old Concord Rd.

The City currently also has funding for Project BL-0034, sidewalk on Jake Alexander Blvd (JAB) between Brenner Ave and the RR tracks on JAB. This project is one we have not yet entered into contract with a firm for design, and we have not expended any of the federal funds. Our federal CMAQ award for this project is \$676,032 (with a local match of \$169,008). As we began looking at design options for this project, we became aware of concerns with the bridge crossing Grants Creek on JAB, and have been working with NCDOT for a resolution. That resolution would be to mill a portion of JAB and re-stripe it to slightly shift traffic away from an existing 4' wide sidewalk across the bridge. This would accomplish a usable connection, but is not ideal and will add cost to the project not originally anticipated. In addition, the potential project design consultant feels like there is an area where fill will be necessary, and will most likely require a no-rise study at Grants Creek. With all of these "concerns", we do not anticipate having sufficient grant funds to cover the total cost of the project through construction. In addition, there are better alternatives for connections, especially with the recently approved realignment of Grants Creek Greenway.

Therefore, staff proposes that the City reallocate funds from Project BL-0034 to Project C-5603H to help cover the deficit of the project that is nearly shovel ready. This must go through the Cabarrus-Rowan MPO for approval of reallocation, and will reduce our anticipated deficit for C-5603H substantially. To request reallocation of the funds will require a Resolution from City Council. As part of the recommendation to reallocate funds, staff also recommends that City Council support a future application of a pedestrian and/or bicycle connection for the Project BL-0034 area.



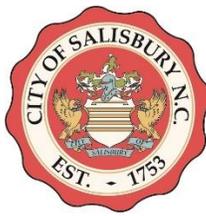
Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Council to consider adopting a Resolution authorizing staff to request the Cabarrus-Rowan MPO reallocate CMAQ funding from Project BL-0034, Jake Alexander Boulevard Sidewalk, to Project C-5603H, Sidewalk on Brenner Avenue from Statesville Boulevard to Horah Street and Intersection Improvements at Brenner and Link Avenues

Department Head Signature (Required)

Wendy Biddle



**RESOLUTION SUPPORTING
REALLOCATION OF CMAQ FUNDS FROM PROJECT BL-0034 TO PROJECT C-5603H**

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) continues the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. §149); and

WHEREAS, CMAQ is a Federal program that funds transportation projects and programs in air quality non-attainment and maintenance areas to help achieve and maintain national standards for pollutants; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) administers the CMAQ program on behalf of non-attainment and maintenance areas within North Carolina; and

WHEREAS, the City of Salisbury has received funds for the design and installation of sidewalk on Jake Alexander Boulevard between Brenner Avenue and existing sidewalk near Woodleaf Lanes (and the railroad crossing) on Jake Alexander Boulevard, Project BL-0034; and

WHEREAS, the City of Salisbury has received funds for the design and installation of sidewalk on Brenner Avenue between Statesville Blvd and Horah Street, and intersection improvements at Brenner and Link Avenues, Project C-5603H; and

WHEREAS, both projects will provide vital pedestrian connections for citizens to retail and recreational areas; and

WHEREAS, Project C-5603H, delayed during the pandemic and currently anticipated to be let in Fall 2024, is estimated to have a funding deficit of approximately \$1.2 million; and

WHEREAS, Project BL-0034 was awarded \$676,032 (plus a local match of \$169,008) and has not expended any funds, but preliminary engineering revealed concerns with the pedestrian connection on Jake Alexander Blvd across Grants Creek; and

WHEREAS, staff recommends reallocating the funds from Project BL-0034 to help cover costs with Project C-5603H, which is nearly shovel ready; and

WHEREAS, staff will explore better connectivity options for BL-0034 and apply for funds in the future to support the improved connection; and

NOW THEREFORE, the City of Salisbury City Council requests that the Cabarrus-Rowan MPO support reallocation of federal CMAQ funds of \$676,032 from Project BL-0034 to Project C-5603H.

This the 7th day of May, 2024

Karen K. Alexander, Mayor

Connie Snyder, NCCP, City Clerk



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Request to add Airport Loop Road to the NCDOT Division of Highways Secondary Road System

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Wendy Brindle, Transportation Director

Main Point of Contact Email: wbrin@salisburync.gov

Phone: 704-638-5201

Consent Agenda

(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda

(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

In June 2005, the statutory annexation of the airport became effective. At that time, Airport Loop Road was on the State's Secondary Road System as SR1517. As part of the annexation ordinance, the City took over the maintenance of Airport Loop Road. The City added Airport Loop Road to Powell Bill beginning July 1, 2005.

The de-annexation of the airport occurred as Senate Bill 269 in Session Law 2013-60, with an effective date of June 30, 2013. Since the majority of the roadway was de-annexed with the airport, the City removed Airport Loop Road from Powell Bill beginning July 1, 2013. In order for NCDOT to maintain Airport Loop Road, it must be added back to their Secondary Road System. Rowan County has recently petitioned NCDOT for this action, but the small portion within the City of Salisbury corporate limits requires a petition from the City.

To begin the process to request the 0.23 miles of Airport Loop Road within Salisbury's corporate limits be added to NCDOT's Secondary Road System for maintenance, Council must provide a Resolution of Support for the petition. Staff has attached the Resolution for Council's approval. Following adoption, staff will proceed with the petition, which must be signed by all adjoining property owners. There are two property owners involved: Rowan County and a private property owner. Once the signatures are secured, the petition and Resolution will be provided to NCDOT for consideration.



Salisbury City Council Agenda Item Request Form

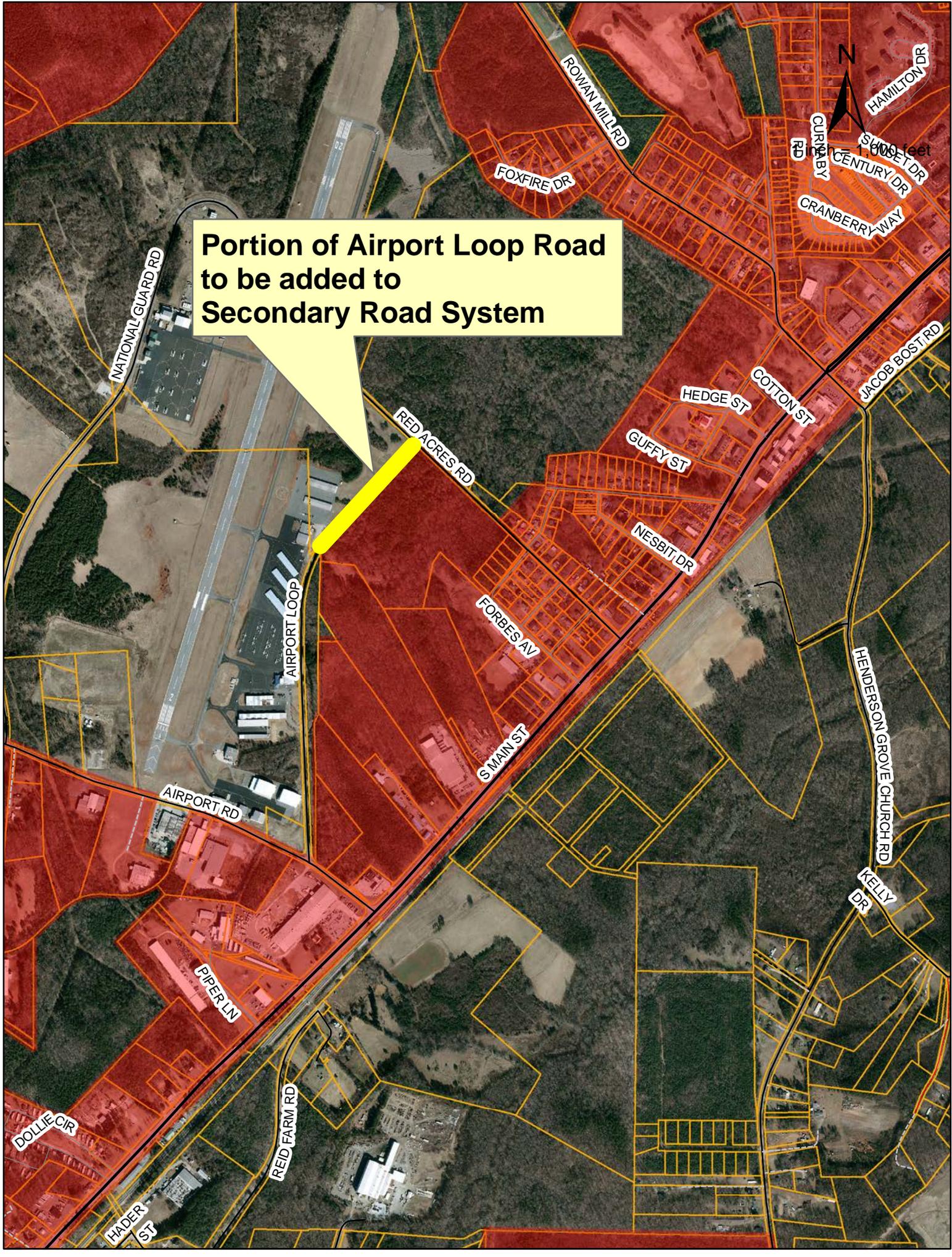
Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

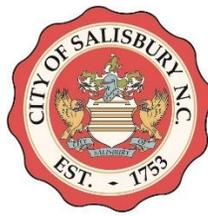
Council to adopt a Resolution of Support to petition NCDOT to add Airport Loop Road, within the City of Salisbury's corporate limits, to the Division of Highway's Secondary Road System for maintenance

Department Head Signature (Required)

Wendy Biddle

**Portion of Airport Loop Road
to be added to
Secondary Road System**





**RESOLUTION SUPPORTING
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION REQUEST FOR ADDITION TO
STATE MAINTAINED SECONDARY ROAD SYSTEM**

WHEREAS, Airport Loop Road extends into the corporate limits of Salisbury for 0.23 miles; and

WHEREAS, Airport Loop Road is not currently recognized within the NCDOT Division of Highway's Secondary Road System for maintenance; and

WHEREAS, Rowan County has petitioned that Airport Loop Road, outside of the City's corporate limits, be added to the Secondary Road System; and

WHEREAS, the City of Salisbury has the responsibility of petitioning the state to add the portion within its corporate limits.

NOW THEREFORE, the City of Salisbury City Council supports a petition to NCDOT Division of Highways to add Airport Loop Road, beginning at Red Acres Road (SR1571) and extending southwest 0.23 miles, to their Secondary Road System and take over road maintenance.

This the 7th day of May, 2024

Karen K. Alexander, Mayor

Connie Snyder, NCCP, City Clerk



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Council to consider appointments to various Board and Commissions.

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Connie Snyder, City Clerk

Main Point of Contact Email: csnyd@salisburync.gov

Phone: 704 638-5234

Consent Agenda
(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda
(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Develop inclusive and sustainable community engagement.

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

Council to consider appointments to various Board and Commissions.



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Council to consider appointments to various Board and Commissions.

Department Head Signature (Required)

Corinne B. Sneyd

Boards and Commissions Worksheet – 2024

Alternate Methods of Design Commission

<u>Current Member</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Member</u>
Jon Palmer	3/31/24	No	Jon Palmer

Applicants:

Notes: Members shall have demonstrated experience, education, or licensure in the design, construction, and /or development field.

Bell Tower Green Advisory Committee - Harry McLaughlin, Council Liaison

<u>Current Member</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Vacant	3/31/25	No	Misty Ebel
Meredith Abramson *	3/31/24	Yes	Meredith Abramson
Bill Wagoner*	3/31/24	Yes	Bill Wagoner

Applicants:

Krystal Biskner
Robert Schmidt
Ben Tobey

Notes:

Community Appearance Commission – Tamara Sheffield, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Hugo Correa	3/31/24	No	Jennifer Baldi
Michael Mills	3/31/24	No	Krystal Biskner
James Carli	3/21/24	No	Linda Moser
Kelly Vanager	3/31/24	Yes	Kelly Vanager
Jeffrey Martinez	3/31/24	No	Beth Rutledge
Vacant	3/31/26	n/a	Rebecca Wells

Applicants:

Faye Moser
Karen Lilly-Bowyer

Notes: Efforts are made to maintain a majority of members who have had special training or experience in a design field, such as architecture, landscape design, horticulture, city planning or a closely related field.

Greenway, Bicycle and Pedestrian Committee - Harry McLaughlin, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Edward Hirst	3/31/24	No	Lisa Bowman
Sara Clymer*	3/31/24	Yes	Sara Clymer
Amy Smith*	3/31/24	Yes	Amy Smith

Applicants:

Karen South Jones

Notes:

Historic Preservation Commission

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Steven Cobb	3/31/24	No	Michael Kepley
Marcelo Menza	3/31/24	Yes	Marcelo Menza
Jon Planovsky	3/31/24	No	Ephrum Schwartz-Laubhann

Applicants:

Ryan Ermine
 Eugene Goetz
 Susannah MacNeil
 Andrea McAnn Reeder
 John Schaffer
 Robert Schmidt
 Karen Lilly-Bowyer
 Ben Tobey

Notes: All members must have a demonstrated interest, competence, or knowledge in historic preservation. The Certified Local Government must document in writing its good faith effort to appoint professionals from the disciplines of architecture, history, architectural history, planning, archaeology, or other related disciplines, to the extent such professionals are available in the community and willing to serve. The CLG program recognizes that a mix of professional and lay members makes the strongest commission.

Housing Advocacy Commission – David Post, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Gemale Black	3/31/24	Yes	Gemale Black
Lorenzo Debose	3/31/24	Yes	Lorenzo Debose
Russell Michalec	3/31/24	Yes	Russell Michalec
Jessica Cloward	3/31/24	Yes	Lisa Kelley
Vacant	3/31/25	n/a	Annie Boone-Carroll

Applicants:

Auyanna Brooks
 Jonathan Handy
 Kristen Stauffer
 Becky Candelora

Notes: Seats have been designated for representatives from Neighborhoods, Landlords and At-large.

Human Relations Commission – Anthony Smith, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Linda Black	3/31/24	Yes	Matthew Beaver
Brunetta Franklin	3/31/24	Yes	Edward Brown
Preston Sale	3/31/24	Yes	Jonathan Handy
Colleen Smiley	3/31/24	Yes	Shanikka Gadson Harris
Vacant	3/31/26	n/a	Susannah McNeil

Applicants:

Kristen Stauffer
 Katherine Thornton
 Rebecca Wells
 Becky Candelora

Notes: Eight members of the HRC are appointed by City Council and eight members are appointed by the HRC.

Hurley Park Advisory Board – Mayor Alexander, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Jerry Lawson *	3/31/24	Yes	Jerry Lawson
Linda Sufficool *	3/31/24	Yes	Linda Sufficool
Laura Thompson*	3/31/24	Yes	Laura Thompson

Applicants:

Rebecca Wells

Notes: The City will ensure that a member of the Hurley Family Foundation and a person who lives within 100 feet of the park are appointed to the board.

Parks and Recreation Advisory Board – Harry McLaughlin, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Member</u>
Jon Post	3/31/24	No	Dennis Rogers
Dennis Rivers *	3/31/24	Yes	Dennis Rivers
Syliva Fosha *	3/31/24	Yes	Syliva Fosha
Vacant	3/31/26		Kevin Auten

Applicants:

Melvin Cline

Notes:

Planning Board/Board of Adjustment

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 3 Members</u>
Jayne Land	3/31/24	No	Famous Lusti
Timothy Norris (ETJ)	3/31/24	No	
Dennis Rogers	3/31/24	No	Katherine Thornton
John Struzick	3/31/24	No	Steven Raffa
Mr. Jon Post	3/31/24	No	
Mr. John Struzick	3/31/2024	No	

Applicants:

Robert Schmidt
 Karen Lilly-Bowyer
 Becky Candelora
 Ben Tobey

Notes: Need 2 regular members and 1 ETJ member.

Public Art Commission - Mayor Karen Alexander, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Hunter Safrit	3/31/24	No	Anne Scott Clement
Judy Kandl	3/31/24	No	Nichole Pequeno
Reg Boland *	3/31/24	Yes	Reg Boland
Shanna Glawson*	3/31/24	Yes	Shanna Glawson

Applicants:

Christine Goetz
 Faye Moser
 Rebecca Wells

Notes: When the PAC was established all existing members maintained their term for one year. Terms now need to be established that stagger appointments for the Commission.

Transportation Advisory Board – Anthony Smith, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 0 Members</u>
Christina Rodriquez	3/31/24	Yes	Hannah Addair
Laura Schmidt	3/31/24	No	Orlando Lewis
Vacant	3/31/24		Donna Tillman

Applicants:

Notes: Membership shall be representative of the population of the service area and include representatives from human service agencies, transportation providers, business sector, government sector, and the public within the service area.

Tree Board – Harry McLaughlin, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 1 Member</u>
Jonathan Barbee *	3/31/24	Yes	Jonathan Barbee
Melissa Eller *	3/31/24	Yes	Melissa Eller
Melissa Shaver	3/31/24	No	Melissa Shaver
Vacant	3/31/25		Dr. Louis Kandl
Vacant	3/31/25		

Applicants:

Notes: Need 1 member

Auyanna

Brooks

Submission Date Nov 23, 2023 6:38 PM

First Name Auyanna

Last Name Brooks

E-mail teambrooks2015@gmail.com

Home Phone 7046451636

Address 322 mccubins rd

City Salisbury

State NC

ZIP Code 28145

Ethnicity African American

Gender Female

Place of Employment Salisbury Health and rehab

Occupation Cna

Do you reside within the City limits of Salisbury? Yes

Are you within the City's Extraterritorial Jurisdiction (ETJ) area?

Yes

Please indicate your #1 preference:

Housing Advocacy Commission

Please indicate your #2 preference:

Fair Housing Committee

Please indicate your #3 preference:

Other

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

I am a young black women with four kids single mother also i know the city really well praying for change in our city!! Something needs to be done cost of living super expensive and folks didnt get raises to afford to living which cause people to be homeless and on the street!!! These schools need some fixing

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Becky

Candelora

Submission Date	Apr 6, 2024 4:04 PM
First Name	Becky
Last Name	Candelora
E-mail	beckycandelora@gmail.com
Home Phone	9084622001
Address	426 Prescot Drive
City	Salisbury
State	NC
ZIP Code	28144
Ethnicity	Other
Ethnicity (Other):	Bi-racial
Gender	Female
Place of Employment	Veterans Administration Medical Center
Occupation	RN
Do you reside within the City limits of Salisbury?	Yes
Are you within the City's Extraterritorial Jurisdiction (ETJ) area?	No
Please indicate your #1 preference:	Housing Advocacy Commission
Please indicate your #2 preference:	Planning Board
Please indicate your #3 preference:	Human Relations Council
Have you served on a board or commission of the City of Salisbury?	No
Why are you interested in serving on the Board or Commission for which you are applying?	My background is in low-income housing, specifically Section 8. As a member of this community, I'd like to lend my experience to a commission where I can effect change, and make a difference for others who live in Salisbury.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

Fair housing, low-income housing, National Association of Housing Redevelopment Officials.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Melvin (Bucky) Cline

Submission Date Apr 28, 2024 2:00 PM

First Name Melvin (Bucky)

Last Name Cline

E-mail clineb66@gmail.com

Home Phone 7042454247

Address 521 Maupin Ave

City Salisbury

State **NC**

ZIP Code 28144

Ethnicity **Caucasian/Non-Hispanic**

Gender **Male**

Occupation retired, VP of HR, Global Contact Services

Do you reside within the City limits of Salisbury? **Yes**

Please indicate your #1 preference: **Parks and Recreation Advisory Board**

Have you served on a board or commission of the City of Salisbury? **No**

Why are you interested in serving on the Board or Commission for which you are applying? **I am interested and concerned about the recreation facilities available for the citizens of Salisbury and what will be available for future generations.**

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission: **I am almost a lifelong resident of the city and as a youth participated in many activities offered by city recreation. I have also been the president of the YMCA board twice.**

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction? **No**

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council? **No**

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Ryan

Emerine

Submission Date Feb 16, 2024 12:32 AM

First Name Ryan

Last Name Emerine

E-mail ryanemerine@gmail.com

Home Phone 7046773013

Address 117 E Steele St

City Salisbury

State NC

ZIP Code 28144

Ethnicity Caucasian/Non-Hispanic

Gender Male

Do you reside within the City limits of Salisbury? Yes

Please indicate your #1 preference: Historic Preservation Commission

Please indicate your #2 preference: Historic Preservation Commission

Please indicate your #3 preference: Historic Preservation Commission

Have you served on a board or commission of the City of Salisbury? No

Why are you interested in serving on the Board or Commission for which you are applying? I think the historic preservation committee needs new and younger insight to bring new visions and ideas on how it should be run to make Salisbury better.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

I have business expertise capable of assisting with the proper running on historic downtown and other districts to ensure the town thrives because of its historic nature.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Christine

Goetz

Submission Date	Feb 3, 2024 10:34 AM
First Name	Christine
Last Name	Goetz
E-mail	ChristineGoetz711@gmail.com
Home Phone	704-216-1258
Address	126 East Steele Street
City	Salisbury
State	NC
ZIP Code	28144
Ethnicity	Caucasian/Non-Hispanic
Gender	Female
Occupation	retired
Do you reside within the City limits of Salisbury?	Yes
Please indicate your #1 preference:	Public Arts Commission
Have you served on a board or commission of the City of Salisbury?	No

Why are you interested in serving on the Board or Commission for which you are applying?

As an artist I believe public art has a meaningful and transformative role to play, making a difference in the community. Not only does public art contribute to city beautification but it sparks an expanded interest in and appreciation of the visual arts, stimulating thought and conversation in the community about the arts. It also serves to build cohesiveness in the art community and, through selection, has the opportunity to highlight the contribution of all cultures. Further, public art has much to contribute as the city works to rebuild the downtown businesses and create community by

drawing residents to downtown, developing Bell Tower Park and adding outdoor spaces for the community to gather to sit and talk. Finally, Salisbury already draws visitors as an historic city. If properly developed our public art can also serve as a draw.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

Education: B.S. Art Education, University of Dayton, Dayton, Ohio, M.A. Art Education, Miami University, Oxford, Ohio, studied art and computer technology at the Center for Applied Scientific Technology, Harvard University, and have completed extensive course work in documentary video and photography.

Teaching: Art teacher in schools in Michigan and Ohio, Art Director, Seven Hills Schools, Cincinnati, and Cincinnati Country Day School, Artist-in-Residence for a one month "Day of the Dead" symposium at Clermont College, University of Cincinnati, to promote cultural understanding of Hispanics, art teacher/tutor, Taos Pueblo Day School, Taos, New Mexico, participating in an exchange program between the school and a public school in Ciudad Juarez, Mexico, Coordinator, Artist in the Schools Program, Ohio Arts Council, lecturer on learning style differences and creativity for the National Conference on Adults and Children with Learning Disabilities, the Independent Schools of the Central States and the Southwest Teachers Association

Exhibitions: Have exhibited in 15 galleries in Taos and Santa Fe, New Mexico, Vail, Colorado, and Cincinnati and Dayton, Ohio, had a one month Day of the Dead Exhibition at the Mean Mug, Salisbury, NC, invited by Sisters of St. Joseph, Pineapple, Alabama, to involve the Black community in creating an out-of-doors installation representing a grandmother's cabin, memorializing generations past, and had a shrine in "Images of Mary: Contemporary Variations", a juried exhibition, touring nationally, to celebrate the 50th anniversary of the Mariological Society of America, Dayton, Ohio,

Publication: Edited an interactive arts curriculum for Very Special Arts, Washington, D.C., published in Arts and Activities.

Related Experience: Spent two weeks developing a photographic record of members of the Black community for the Sisters of St. Joseph, Pineapple, Alabama, worked in art production for the motion picture industry for Jody Foster, followed a strong interest in art and archaeology, working at sites including Ballylough, Ireland, and Caesarea by the Sea, Israel, and studying sites in Ecuador, Belize, Guatemala, Mexico and Australia, and selected the exterior colors and designed the gardens for the Mary Steele Scales House (ca 1893), our home, recently designated one of Salisbury's historic landmarks.

My art mediums are painting and multimedia.

Past president, Taos, NM, Archaeological Society.
I volunteer three days a week stocking inventory at the Rowan History Museum resale store.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my

I agree

knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

Eugene

Goetz

Submission Date Feb 3, 2024 5:36 PM

First Name Eugene

Last Name Goetz

E-mail Goetz.Gene@gmail.com

Home Phone 704-216-1258

Address 126 East Steele Street

City Salisbury

State NC

ZIP Code 28144

Ethnicity Caucasian/Non-Hispanic

Gender Male

Occupation retired

Do you reside within the City limits of Salisbury? Yes

Please indicate your #1 preference: Historic Preservation Commission

Have you served on a board or commission of the City of Salisbury? Yes

Why are you interested in serving on the Board or Commission for which you are applying? I believe the HPC is a body where I can make a contribution to something key to the future development of Salisbury.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in Six years as a member of the HPC with experience gained getting our home designated an Historic Landmark.

your duties as a member of the Board or Commission:

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Karen

South Jones

Submission Date	Feb 8, 2024 4:45 PM
First Name	Karen
Last Name	South Jones
E-mail	whitehousewoman@gmail.com
Home Phone	704-642-9314
Fax	704-636-8117
Business Phone	704-633-5636
Address	810 Old Stone House Road
City	Salisbury
State	NC
ZIP Code	28146
Ethnicity	Caucasian/Non-Hispanic
Gender	Female
Place of Employment	Rowan County Youth Services Bureau, Inc.
Occupation	Executive Director
Do you reside within the City limits of Salisbury?	No
Are you within the City's Extraterritorial Jurisdiction (ETJ) area?	No

Please indicate your #1 preference:

Greenway Committee (No Requirement of Residency)

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

I am an avid walker who travels the streets throughout Salisbury on a regular basis. As such, I am interested in helping make our streets, sidewalks, and greenways safer and more accessible to walkers and bikers.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

I have been involved in numerous Boards of Directors, advisory committees, and other oversight entities. I know how to work collaboratively and collegially with diverse members of our community.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

karen

Lilly- Bowyer

Submission Date Mar 23, 2024 12:50 PM

First Name karen

Last Name Lilly- Bowyer

E-mail karnbowyer@yahoo.com

Home Phone 7042134232

Address 1604 Statesville Blvd

City Salisbury

State NC

ZIP Code 28144

Ethnicity Caucasian/Non-Hispanic

Gender Female

Place of Employment retired

Occupation Education

Do you reside within the City limits of Salisbury? Yes

Are you within the City's Extraterritorial Jurisdiction (ETJ) area? No

Please indicate your #1 preference: Historic Preservation Commission

Please indicate your #2 preference: Planning Board

Please indicate your #3 preference: Community Appearance Commission

Have you served on a board or commission of the City of Salisbury? No

Why are you interested in serving on the Board or Commission for which you are applying?
I am very interested in the city's work to preserve Salisbury's historical properties. I have been involved with the historic preservation movement through board membership with Historical Salisbury Foundation, and I served for two terms on the Rowan County Historic Landmark commission where I served as chair for three years.
As a native of Salisbury I have seen many changes over the years. It is my hope that I can serve to help insure the forward movement of the city's historical preservation plan

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

Interest: Historic preservation, reading, bridge, research
Education: Graduate degree in Education with an emphasis on curriculum
Boards: Historic Salisbury Foundation, Rowan County Landmark Commission Chair for 3 years

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Faye

Moser

Submission Date	Feb 9, 2024 6:46 PM
First Name	Faye
Last Name	Moser
E-mail	fmluvsherdoxies@gmail.com
Home Phone	8284892351
Address	905 N Main St
City	Salisbury
State	NC
ZIP Code	28144
Ethnicity	Caucasian/Non-Hispanic
Gender	Female
Place of Employment	Electric Power Research Institute (EPRI)
Occupation	Engineer/Scientist
Do you reside within the City limits of Salisbury?	Yes
Are you within the City's Extraterritorial Jurisdiction (ETJ) area?	No
Please indicate your #1 preference:	Public Arts Commission
Please indicate your #2 preference:	Community Appearance Commission

Please indicate your #3 preference:

Tree Board

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

I am interested in serving on this commission because I am passionate about contributing to my community and making a positive impact. As a percussionist with educational and professional experience, including with the Salisbury Symphony Orchestra, I could offer a unique perspective to the Public Arts Commission. While not a visual artist, I understand the transformative power of the arts and bring a collaborative mindset to the table. My advocacy for the arts, coupled with my ability to work effectively with others, will contribute to the commission's goal of promoting inclusive and impactful public art initiatives.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

Building on my previous response, my experience as a musician has deeply informed my understanding of creative processes and the significance of art within our community. Through years of musical engagement, I've witnessed firsthand the transformative power of artistic expression in enriching lives and fostering community connections. This understanding of creation and the profound impact of art on our community is why I believe I would be a valuable addition to the Public Arts Commission. With a perspective grounded in artistic practice and community engagement, I am committed to advocating for inclusive and meaningful public art initiatives that resonate with diverse audiences and contribute to the cultural vitality of our community.

If not selected for the Public Arts Commission, I believe I could properly contribute to either the Tree Board or the Community Appearance Commission, as well. I work in geoscience/engineering, which could be beneficial to the Tree Board. Additionally, my residency in and appreciation for a Salisbury Historic District and volunteer work for the BlockWork initiative underscore my understanding of the importance of community appearance.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Steven

Raffa

Submission Date	Feb 9, 2024 1:57 PM
First Name	Steven
Last Name	Raffa
E-mail	swraffa7@yahoo.com
Home Phone	4014874480
Business Phone	4014874480
Address	903 North Main Street
City	Salisbury
State	NC
ZIP Code	28144
Ethnicity	Caucasian/Non-Hispanic
Gender	Male
Place of Employment	Semi-retired as of 12/2023
Occupation	Lawyer/Educator
Do you reside within the City limits of Salisbury?	Yes
Please indicate your #1 preference:	Historic Preservation Commission
Please indicate your #2 preference:	Planning Board

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

I have lived in Salisbury since June 2020. Unfortunately, work consumed my life until my recent retirement; I plan to only do some part-time consulting in the future.

Last night, I attended a Historic Preservation Commission (HPC) meeting and was somewhat horrified that at least some HPC board members were considering applications without any apparent regard for the applicable HPC guidelines. Previously as a young lawyer, I worked for two private firms as a trial attorney for seven years, and also had experience in zoning matters; in these capacities, I learned that what is relevant is adherence to applicable law and regulations. Otherwise, for 12 years of my legal career I worked to improve policy and treatment for mentally ill incarcerated individuals, and also served as legal counsel to two Rhode Island state agencies for two years. With two other individuals, and significant business community support, I also started Rhode Island's first charter high school, which served so-called at-risk teenagers. In all of these positions, decision making was based on applicable law, guidelines, rules, and/or regulations. I would use this experience, and my common sense, to follow the established guidelines of the HPC and the Planning Board in rendering decisions. As my house is located in the North Main Street Historic District, I think that it is important that all homes in all of Salisbury's historic districts comply with applicable HPC guidelines.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

I have an undergraduate degree in international affairs from Georgetown University and a law degree from the University of Pennsylvania.

I previously served on boards when I lived in Rhode Island, where I resided for 33 years. These boards included the Textron Chamber of Commerce Providence Public Charter School, where I was employed for 15 years, the Mount Hope Day Care Center, and the Providence Haitian Project. As indicated above, my positions as legal counsel for the RI Department of Revenue, where I worked for the RI Department of Motor Vehicles and the Rhode Island Lottery, and as a trial lawyer, as well as 12 years working to implement and evaluate policies for the treatment of the mentally ill who were incarcerated, trained me in the importance of adhering to established policy. Admittedly, these employment and other experiences did not involve historic preservation or planning issues. I nonetheless believe that the skills that I have learned and utilized throughout my career would be transferrable to historic preservation and planning issues.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Andrea

McCann Reeder

Submission Date Feb 2, 2024 11:38 AM

First Name Andrea

Last Name McCann Reeder

E-mail mccann611@yahoo.com

Home Phone 2142232459

Address 820 North Main St

City Salisbury

State NC

ZIP Code 28144

Ethnicity Caucasian/Non-Hispanic

Gender Female

Do you reside within the City limits of Salisbury? Yes

Are you within the City's Extraterritorial Jurisdiction (ETJ) area? No

Please indicate your #1 preference: Historic Preservation Commission

Have you served on a board or commission of the City of Salisbury? No

Why are you interested in serving on the Board or Commission for which you are applying? I have recently moved to the North Main Historic District. I am interested in preservation, my neighborhood and the future of historic Salisbury.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in I have interests in design and beautiful places and things. I have worked in an office setting in administrative, accounting and management roles my entire career. My life experience and interest in historic Salisbury as a home owner in the North Main Historic District make me an asset to the commission.

your duties as a member of the Board or Commission:

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Robert

Schmidt

Submission Date	Jan 4, 2024 12:13 AM
First Name	Robert
Last Name	Schmidt
E-mail	robert.eleanor@gmail.com
Home Phone	7045501923
Address	514 S Jackson St
City	Salisbury
State	NC
ZIP Code	28144
Ethnicity	Caucasian/Non-Hispanic
Gender	Nonbinary or third gender
Place of Employment	Retired
Do you reside within the City limits of Salisbury?	Yes
Are you within the City's Extraterritorial Jurisdiction (ETJ) area?	Yes
Please indicate your #1 preference:	Historic Preservation Commission
Please indicate your #2 preference:	Planning Board
Please indicate your #3 preference:	Bell Tower Green Committe

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

Since buy are house here in West Square I always want to be involved with are town. I'm proud of everything that happens around the town.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

Retired Army and belonging to the Salisbury Elks, Salisbury DAV, Salisbury VFW, Salisbury American Legion, and Salisbury Masonic Temple

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Kristin

Stauffer

Submission Date	Dec 7, 2023 4:07 PM
First Name	Kristin
Last Name	Stauffer
E-mail	rascal102774@hotmail.com
Home Phone	(704) 232-5170
Business Phone	(704) 232-5170
Address	324 Knollwood Ave
City	Salisbury
State	NC
ZIP Code	28144
Ethnicity	Caucasian/Non-Hispanic
Gender	Female
Do you reside within the City limits of Salisbury?	Yes
Please indicate your #1 preference:	Other

Please indicate your #2 preference:

Housing Advocacy Commission

Please indicate your #3 preference:

Human Relations Council

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

I am interested in the police advisory board. I think it would be an opportunity to see how the police and community are able to work together to help our citizens.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

I have a degree in criminal justice and psychology and I am finishing up my master's in forensic psychology. I have completed Salisbury Citizens Academy and I am on my home owner Association board.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Ben

Tobey

Submission Date	Apr 16, 2024 1:31 PM
First Name	Ben
Last Name	Tobey
E-mail	btobey@moretzlaw.com
Home Phone	7043081487
Address	300 W Horah St
City	Salisbury
State	NC
ZIP Code	28144
Ethnicity	Caucasian/Non-Hispanic
Gender	Male
Place of Employment	Moretz Law Group
Occupation	Lawyer
Do you reside within the City limits of Salisbury?	Yes
Are you within the City's Extraterritorial Jurisdiction (ETJ) area?	No
Please indicate your #1 preference:	Historic Preservation Commission
Please indicate your #2 preference:	Planning Board
Please indicate your #3 preference:	Bell Tower Green Committe
Have you served on a board or commission of the City of Salisbury?	No
Why are you interested in serving on the Board or Commission for which you are applying?	I think it is important to have knowledgeable people serving on these committees/commissions. Being a lawyer I think my professionalism and experience would be beneficial while serving.
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?	No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree



Salisbury City Council Agenda Item Request Form

Agenda Item

Item Title: Cheerwine Festival

Requested Council Meeting Date: May 7, 2024

Name and Title of Presenter(s): Vivian Koontz Events Coordinator

Main Point of Contact Email: vkoon@salisburync.gov

Phone: 704 638-5294

Consent Agenda
(Item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda
(Item to be discussed for consideration by Council)

Item Category: Action Information Only Other

Select if one of these categories apply: Ordinance Resolution Contract

Strategic Plan

Focus Areas:

- Healthy, Safe & Engaged Neighborhoods
- Economic & Workforce Development
- Public Safety
- Organizational Excellence
- Sustainable Infrastructure
- Cultural Amenities

[Strategies:](#) *(Click to view specific Strategic Plan strategies)*

Fiscal Note

Is this item included in the current Fiscal Year budget? Yes No No Budgetary Impact

If no, identify the funding source

Finance Manager Signature

Budget Manager Signature:

(If this agenda item involves funding, including grants, donations, and budget ordinance amendments, it must have a fiscal note included above along with the signature(s) of approval from the Finance Manager and/or Budget Manager)



Salisbury City Council Agenda Item Request Form

Description of Requested Agenda Item: *(Please provide detailed information necessary for City Council to make an informed decision)*

The Cheerwine Festival will take place Saturday May 18th from noon until 10:00 pm in downtown Salisbury. This family-friendly festival will feature live entertainment, Cheerwine-inspired food and drinks, arts and crafts, kids activities and of course, all the Cheerwine you can drink! The Cheerwine History display will take place at the Rowan Museum from noon until 5:00 pm. Historic Salisbury Trolley Tours will be available from noon until 6:00 pm at the Rowan County Visitors Center. Live music will be provided from 2:00 pm until 10:00 pm. Free shuttle parking will be provided from Rowan Cabarrus Community College, Catawba College and the Livingstone College School of Hospitality Management and Culinary Arts from 11:40 am-11:00 pm. For additional details, maps and more, visit www.cheerwinefest.com .



Salisbury City Council Agenda Item Request Form

Specific Action Requested of Council: *(Recommended motion and Statement of Consistency if applicable)*

Mayor to announce The Cheerwine Festival will take place Saturday May 18th from noon until 10:00 pm in downtown Salisbury. This family-friendly festival will feature live entertainment, Cheerwine-inspired food and drinks, arts and crafts, kids activities and of course, all the Cheerwine you can drink! The Cheerwine History display will take place at the Rowan Museum from noon until 5:00 pm. Historic Salisbury Trolley Tours will be available from noon until 6:00 pm at the Rowan County Visitors Center. Live music will be provided from 2:00 pm until 10:00 pm. Free shuttle parking will be provided from Rowan Cabarrus Community College, Catawba College and the Livingstone College School of Hospitality Management and Culinary Arts from 11:40 am-11:00 pm. For additional details, maps and more, visit www.cheerwinefest.com.

Department Head Signature (Required)

W. L. Koutz